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JOURNAL OF THE CONVENTION.

MONTGOMERY, ALABAMA,
January 7th, 1861.

This being the day prescribed by proclamation of the Governor of the State of Alabama for the assembling of Delegates to the Convention to be holden in accordance with the provisions of a Joint Resolution of the Legislature of Alabama approved, February 24th, 1860, "calling a Convention in a certain contingency in the election of a President of the United States," the Delegates elect to said Convention, met in the Hall of the House of Representatives at the Capital, at 12 o'clock, M., and on motion of A. G. Humphries, of Mobile, W. S. Phillips, of Dallas, was called to the Chair, as temporary President, for the purpose of organization, and A. G. Horn, of Mobile, and S. B. Brewer, of Montgomery, were appointed temporary Secretaries.

Mr. Yancey, of Montgomery, offered the following resolutions which were unanimously adopted:

Resolved 1st, That the proceedings of the Convention be opened with prayer, and that the Rev. Dr. Manly be invited to perform this service to-day.

Resolved 2nd, That the President of the Convention be requested to invite some clergyman to open the Convention with prayer on each successive day of its session.

The Convention was then opened with prayer from Rev. Dr. B. Manly, of Montgomery.

The following Delegates enrolled their names:

From the County of—

Autauga—Geo. Rives, Sr.

Barbour—John Cochran, Alpheus Baker, J. W. Daniel.
Baldwin—Joseph Silver.
Bibb—Jas. W. Crawford.
Blount—John S. Brasher, W. H. Edwards.
Butler—S. J. Bolling, John McPherson.
Calhoun—D. T. Ryan, J. M. Crook, G. C. Whatley.
Chambers—J. F. Dowdell, W. H. Barnes.
Cherokee—Henry C. Sanford, W. L. Whitlock, John Potter. J. P. Ralls.
Choctaw—S. E. Catterlin, A. J. Curtis.
Clarke—O. S. Jewett.
Coffee—G. T. Yelverton.
Conecuh—John Green.
Coosa—Geo. Taylor, J. B. Leonard, Albert Crumpler.
Covington—D. C. Davis.
Dallas—J. T. Morgan, W. S. Phillips.
Dale—D. B. Creech, James McKinnie.
DeKalb—Wm. O. Winston, J. H. Franklin.
Fayette—B. W. Wilson, E. P. Jones.
Franklin—J. A. Steele, R. S. Watkins.
Greene—J. D. Webb, T. H. Herndon.
Henry—H. E. Owens, T. T. Smith.
Jackson—J. R. Coffey, J. P. Timberlake, W. A. Hood.
Jefferson—Wm. S. Earnest.
Lauderdale—S. C. Posey, H. C. Jones.
Lawrence—D. P. Lewis, J. S. Clarke.
Limestone—J. P. Coman, T. J. McClellan.
Lowndes—J. S. Williamson, J. G. Gilchrist.
Macon—Saml. Henderson, O. R. Blue, J. H. Foster.
Madison—Nich. Davis, Jere. Clemens.
Marshall—A. C. Beard, J. L. Sheffield.
Marengo—W. E. Clarke.
Marion—Lang C. Allen, W. Steadham.
Mobile—John Bragg, G. A. Ketchum, E, S. Dargan, H. G. Humphries.
Montgomery—W. L. Yancey, T. H. Watts.
Morgan—Jonathan Ford. Monroe — Lyman Gibbons
Perry—W. M. Brooks, J. F. Baily.
Pickens—L. M. Stone, W. H. Davis.
Pike—Eli W. Starke, J. A. Henderson, A. P. Love.
Randolph—H. M. Gay, Geo. Forrester, R. J. Wood.
Russell—R. O. Howard, B. H. Baker.
Shelby—G. D. Shortridge, J. M. McClanahan.
St. Clair—John W. Inzer.

Sumter—A. A. Coleman.
Talladega—N.D. Johnson, A. R. Barclay, M. G. Slaughter.
Tallapoosa—A. Kimball, M. J. Bulger, T. J. Russell.
Tuscaloosa—R. Jemison, Jr., W. R. Smith.
Walker—Robt. Guttery.
Washington—J. G. Hawkins.
Wilcox—F. K. Beck.
Winston—C. C. Sheets.

Mr. Morgan moved that the members will abstain from applause on all occasions, and that all demonstrations of applause in the galleries and lobby shall be strictly prohibited.

The Convention then proceeded to the election of a permanent President.

Mr. Beck nominated Wm. M. Brooks, of Perry.

Mr. Davis, of Madison, nominated Robt. Jemison, Jr., of Tuscaloosa.

On casting up the vote it was for Mr. Brooks, 53; for Mr. Jemison, 45.

Those who voted for Mr. Brooks, are—Bailey, Baker, of Barbour, Baker, of Russell, Barnes, Beck, Blue, Bolling, Bragg, Catterlin, Clarke. of Marengo, Cochran, Coleman, Crawford, Creech, Crook, Curtis, Daniel, Durgan, Davis, of Covington, Davis, of Pickens, Dowdell, Foster, Gibbons, Gilchrist, Hawkins, Henderson, of Macon, Henderson, of Pike, Herndon, Howard, Humphries, Jewett, Ketchum, Love, McClanahan, McPherson, McKinnie, Morgan, Owens, Phillips, Ralls, Rives, Ryan, Shortridge, Silver, Smith, of Henry, Starke, Stone, Watts, Webb, Whatley, Williamson, Yancey, Yelverton.—53.

Those who voted for Mr. Jemison, are—Allen, Barclay, Beard, Brasher, Bulger, Clarke, of Lawrence, Clemens, Coffey, Coman, Crumpler, Davis, of Madison, Earnest, Edwards, Ford, Forrester, Franklin, Gay, Green, Guttery, Hood, Inzer, Jones, of Fayette, Jones, of Lauderdale, Johnson, Kimball, Leonard, Lewis, McClellan, Posey, Potter, Russell, Sanford, Sheets, Sheffield, Slaughter, Smith, of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Watkins, Whitlook, Wilson, Winston, Wood.—45.

Mr. Brooks was declared duly elected, and Messrs. Bragg, Winston, and Humphries, were appointed to wait upon him, by whom he was conducted to the chair, and assumed the duties of his office.

The Convention proceeded to elect a permanent Secretary, when A. G. Horn, of Mobile, W. H. C. Price, of Macon, and W. H. Fowler, of Greene, being in nomination, the vote stood for Mr. Fowler, 57 ; for Mr. Price, 23 ; for Mr. Horn, 20 ; and Mr. Fowler was elected.

Those who voted for Mr. Fowler, are—Mr. President, Allen, Bailey, Barclay, Beard, Brasher, Bulger, Clarke, of Lawrence, Coffey, Coleman, Coman, Crawford, Crumpler, Davis, of Madison, Earnest, Edwards, Ford, Forrester, Franklin, Gay, Green, Guttery, Herndon, Hood, Inzer, Jemison, Jones, of Fayette, Jones, of Lauderdale, Johnson, Kimball, Leonard, Lewis, McClanahan, McClellan, Posey, Potter, Russell, Ryan, Sanford, Sheets, Sheffield, Shortridge, Slaughter, Smith, of Tuscaloosa, Steadham, Steele, Timberlake, Watkins, Webb, Whatley, Whitlock, Williamson, Winston, Wood, Yelverton.—57.

Those who voted for Mr. Price, are—Baker, of Barbour, Baker, of Russell, Barnes, Blue, Bolling, Clemens, Creech, Crook, Daniel, Dowdell, Foster, Henderson, of Macon, Howard, McPherson, McKinnie, Owens, Ralls, Rives, Smith, of Henry, Starke, Watts, Yancey.—23.

Those who voted for Mr. Horn, are—Beck, Bragg, Catterlin, Clarke, of Marengo, Curtis, Dargan, Davis, of Covington, Davis, of Pickens, Gibbons, Gilchrist, Hawkins, Henderson, of Pike, Humphries, Jewett, Ketchum, Love, Morgan, Phillips, Silver, Stone.—20.

On motion by Mr. Baker, of Russell, the Convention elected an Assistant Secretary. Frank L. Smith, of Montgomery, and Wm. A. Smythe being in nomination, the vote stood for Mr. Smith, 53 ; for Mr. Smythe, 47 ; and Mr. Smith was declared elected.

Those who voted for Mr. Smith, are—Mr. President, Bailey, Baker, of Barbour, Barnes, Beck, Blue, Bolling, Bragg, Catterlin, Clarke, of Marengo, Cochran, Coleman, Crawford, Creech, Crook, Curtis, Daniel, Dargan, Davis, of Covington, Dowdell, Foster, Gibbons, Gilchrist, Green, Hawkins, Henderson, of Macon, Henderson, of Pike, Herndon, Howard, Humphries, Jewett, Ketchum, Love, McClanahan, McPherson, McKinnie, Morgan, Owens, Phillips, Ralls, Rives, Ryan, Shortridge, Silver, Smith, of Henry, Starke, Stone, Watts, Webb, Whatley, Williamson, Yancey, Yelverton.—53.

Those who voted for Mr. Smythe, are—Allen, Baker, of Russell, Barclay, Beard, Brasher, Bulger, Clarke, of Lawrence, Clemens, Coffey, Coman, Crumpler, Davis, of Madison, Davis, of Pickens, Earnest, Edwards, Ford, Forrester, Franklin, Gay, Guttery, Hood, Inzer, Jemison, Jones, of Fayette, Jones, of Lauderdale, Johnson, Kimball, Leonard, Lewis, McClellan, Posey, Potter, Russell, Sanford, Sheets, Sheffield, Slaughter, Smith, of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Watkins, Whitlock, Wilson, Winston, Wood.—47.

Mr. Watts moved to elect an Engrossing Clerk. Adopted.

Mr. Morgan moved to reconsider, which was carried, and the motion to elect an Engrossing Clerk was defeated.

Mr. Whatley moved to elect a Doorkeeper. Carried.—And Messrs. James H. Miller, John Barr, R. H. Wynne, E. Humphries, and ——— Jones were nominated.

On the first ballot the vote stood for Mr. Wynne, 48; Mr. Barr, 42; Mr. Miller, 9.

Those who voted for Mr. Wynne, are—Mr. President, Baily, Baker, of Barbour, Barnes, Ceck, Blue, Bragg, Clarke, of Marengo, Cochran, Coleman, Crawford, Crook, Curtis, Daniel, Dargan, Davis, of Pickens, Dowdell, Earnest, Foster, Gibbons, Gilchrist, Hawkins, Henderson, of Macon, Herndon, Howard, Humphries, Inzer, Jewett, Johnson, Ketchum, McClanahan, McPherson, McKinnie, Morgan, Owens, Phillips, Ralls, Ryan, Shortridge, Silver, Smith, of Henry, Starke, Stone, Webb, Whatley, Whitlock, Wood, Yelverton—48.

Those who voted for Mr. Barr, are—Allen, Barclay, Beard, Brasher, Bulger, Clarke, of Lawrence, Clemens, Coffey, Coman, Creech, Crumpler, Davis, of Madison, Edwards, Ford, Forrester, Franklin, Gay, Green, Guttery, Hood, Jemison, Jones, of Fayette, Jones, of Lauderdale, Kimball, Leonard, Lewis, McClellan, Posey, Potter, Russell, Sanford, Sheets, Sheffield, Slaughter, Steadham, Steele, Taylor, Timberlake, Smith, of Tuscaloosa, Watkins, Wilson, Winston.—42.

Those who voted for Mr. Miller, are—Baker, of Russell, Bolling, Catterlin, Davis, of Covington, Henderson, of Pike, Rives, Watts, Williamson, Yancey.—9.

No one having received a majority of all the votes cast, a second ballot was ordered. Mr. Miller was withdrawn, and the vote was for Mr. Wynne, 58; for Mr. Barr, 40; and Mr. Wynne, was declared elected.

Those who voted for Mr. Wynne, are—Mr. President, Bailey, Baker, of Barbour, Barnes, Beck Blue, Bolling, Bragg, Catterlin, Clarke, of Marengo, Cochran, Coleman, Crawford, Creech, Crook, Curtis, Daniel, Dargan, Davis, of Covington, Davis, of Pickens, Dowdell, Foster, Gibbons, Gilchrist, Green, Hawkins, Henderson, of Macon, Henderson, of Pike, Herndon, Howard, Humphries, Inzer, Jewett, Johnson, Ketchum, Love, McClanahan, McPherson, McKinnie, Morgan, Owens, Phillips, Ralls, Rives, Ryan, Shortridge, Silver, Smith, of Henry, Starke, Stone, Watts, Webb, Whatley, Whitlock, Williamson, Wood, Yancey, Yeverton.—58.

Those who voted for Mr. Barr, are—Messrs. Allen, Barclay, Beard, Brasher, Bulger, Coman, Clarke, of Lawrence, Clemens, Coffey, Crumpler, Davis, of Madison, Earnest, Edwards, Ford, Forrester, Franklin, Gay, Guttery, Hood, Jemison, Jones, of Fayette, Jones, of Lauderdale, Kimball, Leonard, Lewis, McClellan, Posey, Potter, Russell, Sanford, Sheets, Sheffield, Slaughter, Smith, of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Watkins, Wilson, Winston.—41.

The President laid before the Convention, the credentials of Hon. A. P. Calhoun, as a Commissioner from the State of South Carolina, and, on motion of Mr. Yancey, it was—

Resolved, That a Committee of three be appointed to wait upon the Hon. A. P. Calhoun, Commissioner from the State of South Carolina, and request him to address the Convention at such time as he may designate, and that he be invited to take a seat within the bar of the Convention,

And Messrs. Yancey, Webb, and Davis, of Madison, were appointed.

Credential of the Commissioner from South Carolina :

THE STATE OF SOUTH CAROLINA.

Whereas, Andrew P. Calhoun has been duly elected by a vote of the Convention of the People of the State of South Carolina, to act as a Commissioner to the Convention of the People of the State of Alabama, and the said Convention of the People of the State of South Carolina has ordered the Governor of said State to Commission the said Andrew P. Calhoun.

Now Therefore, I do hereby Commission you the said Andrew P. Calhoun, to act as a Commissioner from the State of South Carolina in Convention assembled, to the State of Alabama in Convention assembled, to confer upon the subjects entrusted to your charge.

Witness, His Excellency, Francis W. Pickens, Governor and Commander-in-Chief of said State. This, first day of January, in the year of our Lord, one thousand eight hundred and sixty-one, and the eighty-fifth year of the Sovereignty and Independence of the State of South Carolina.

F. W. PICKENS.

By the Governor.—JAMES A. DUFFUS,
Deputy Secretary of State.

On motion of Mr. Dowdell, it was

Resolved, That the Commissioners to and from the State of Alabama, be invited to seats within the bar of the House.

On motion by Mr. Dargan, it was

Resolved, That a committee of five be appointed by the President of this Convention, whose duty it shall be to report rules by which this Convention shall be governed in their deliberations and actions, and

Messrs. Dargan, Jemison, Cochran, Clemens, and Gilchrist, were appointed.

On motion by Mr. Phillips, it was

Resolved, That the Governor of the State of Alabama, and our Representatives to the Congress of the United States, who may be present during the sitting of the Convention, be invited to seats within the bar.

On motion by Mr. Phillips, it was

Resolved, That the Governor of the State of Alabama, and our representatives to the Congress of the U. S., who may be present during the sitting ot the Convention, be invited to seats within the bar.

On motion of Mr. Cochran, it was

Resolved, That the Governor of the State be requested to communicate to the Convention any information he may have respecting the condition of the country.

The President laid the following communication before the Convention:

HEAD QUARTERS 2D VOL. REG'T. OF ALABAMA.
Montgomery, Ala., Jan. 7, 1860.

To the President and Members of the Convention of the People of Alabama:

You are respectfully invited to attend a Review of the 2d Volunteer Regiment, at the old race track to-morrow afternoon, at 3½ o'clock. The Governor will review the Regiment.

T. LOMAX,
Col. 2d Regiment.

Mr. Whatley presented resolutions contemplating resistance to a Black Republican Administration, which, after free discussion and suggestions from various members, were agreed on as follows, and unanimously adopted :

Whereas, The only bond of union between the several States is the Constitution of the United States—

And whereas, that the Constitution has been violated, and by a majority of the Northern States in their separate legislative action, denying to the people of the Southern States their Constitutional rights.

And whereas, a sectional party, known as the Black Republican party, has in the recent election, elected Abraham Lincoln to the office of President, and Hannibal Hamlin to the office of the Vice President of the United States, upon the avowed principle that the Constitution of the United States does not recognize property in slaves, and that the power of the government should be so exercised that slavery should, in time be exterminated.

Therefore be it Resolved, By the people of Alabama in Convention assembled, that the State of Alabama cannot and will not submit to the administration of Lincoln and Hamlin, as President and Vice President of the United States, upon the principles referred to in the foregoing preamble.

Those who voted for the resolutions, are—Mr. President, Allen, Baily, Baker of Barbour, Baker of Russell, Barclay, Barnes, Beard, Beck, Blue, Bolling, Bragg, Brasher, Catterlin, Clarke, of Marengo, Clarke, of Lawrence, Clemens, Cochran, Coffey, Coleman, Coman, Crawford, Creech, Crook, Crumpler, Curtis, Daniel, Dargan, Davis, of Covington, Davis, of Madison, Davis, of Pickens, Dowdell, Earnest, Edwards, Ford, Forrester, Foster, Franklin, Gay, Gibbons, Gilchrist, Green, Guttery, Hawkins, Henderson, of Macon, Henderson, of Pike, Herndon, Hood, Howard, Humphries, Inzer, Jemison, Jewett, Jones, of Fayette, Jones, of Lauderdale, Johnson, Ketchum, Leonard, Lewis, Love, McClanahan, McClellan, McPherson, McKinnie, Morgan, Owens, Phillips, Posey, Potter, Ralls, Rives, Russell, Ryan, Sanford, Sheets, Sheffield, Shortridge, Silver, Slaughter, Smith, of Henry, Smith, of Tuscaloosa, Starke, Steadham, Steele, Stone, Taylor, Timberlake, Watkins, Watts, Webb, Whatley, Whitlock, Williamson, Wilson, Winston, Wood, Yancey, Yelverton.—98.

None voted against it.

The Convention then adjourned till 10 o'clock, to-morrow morning.

MONTGOMERY, ALABAMA,
January 8th, 1861.

The Convention met at 10 o'clock, a. m., and was opened with prayer by Rev. A. G. Brewer.

Mr. Yancey from the committee, to wait on Hon. A. P. Calhoun, commissioner from South Carolina, reported that the committee had performed that duty, and that Mr. Calhoun was ready to address the Convention at such time as it should desire.

On motion by Mr. Jones, of Lauderdale, it was

Resolved, That the Hon. A. P. Calhoun, commissioner from the State of South Carolina to the State of Alabama, be requested to address the Convention at this time and make such communications as he may desire.

Hon. A. P. Calhoun was then introduced to the Convention, and addressed it relative to the object of his mission, and presented certain documents with reference thereto.

Mr. Yancey moved that these documents be received and spread upon the Journals for the information of the Convention. Adopted.

APPENDIX A.

Mr. Watts placed the following dispatches before the Convention, received from Gov. Moore :

Received at Montgomery, January 8th, 1861, by telegraph from Washington, 7th, To Gov. Moore. The republicans in the house to-day, refused to consider the border States' compromise—complimented Major Anderson, and pledged to sustain the President.

MOORE & CLOPTON.

Received at Montgomery, January 8th, 1861, by telegraph from Richmond, 7th, To Gov. A. B. Moore. Legislature passed by one hundred and twelve, (112) to five, (5) to resist any attempt to coerce a seceding State by all the means in her power. What has your Convention done ?—Go out promptly and will be right.

A. F. HOPKINS,
F. M. GILMER, JR.

Mr. Davis, of Madison, moved to rescind the resolution passed on yesterday to prevent applause. The ayes and nays were called, and resulted—ayes 24, nays 73, and the motion was lost.

Those who voted in the affirmative, are—Baker, of Barbour, Baker, of Russell, Barnes, Beck, Blue, Catterlin, Clarke, of Marengo, Daniel, Davis, of Covington, Davis, of Madison, Dowdell, Foster, Henderson, of Macon, Henderson, of Pike, Howard, Humphries, Phillips, Rives, Williamson, Wilson, Yancey, Yelverton.—24.

Those who voted in the negative, are—Mr. President, Allen, Baily, Barclay, Beard, Bragg, Brasher, Bulger, Clarke, of Lawrence, Clemens, Coffey, Coleman, Coman, Crawford, Creech, Crook, Crumpler, Curtis, Dargan, Davis, of Pickens, Edwards, Ford, Forrester, Foster, Franklin, Gay, Gibbons, Gilchrist, Green, Guttery, Hawkins, Herndon, Hood, Inzer, Jemison, Jewett, Jones, of Fayette, Jones, of Lauderdale, Johnson, Kimball, Ketchum, Leonard, Lewis, Love, McClanahan, McClellan, McKinnie, Morgan, Owens, Posey, Potter, Ralls, Russell, Ryan, Sanford, Sheets, Sheffield, Shortridge, Silver, Slaughter, Smith, of Henry, Smith, of Tuscaloosa, Starke, Steadham, Steele, Stone, Taylor, Timberlake, Watkins, Webb, Whatley, Whitlock, Winston, Wood.—73.

A message and accompanying documents, was received from his Excellency, the Governor, through his private Secretary, which were laid on the table for the present.

Mr. Yancey offered the following resolution, which was adopted.

Resolved, That the President of the Convention appoint a committee of thirteen, to consider of and report, what action should be taken by this Convention, in order to protect and preserve the rights and liberties of the people of the State of Alabama—and that the resolutions of the general assembly, under which this Convention has assembled, be referred to that committee.

And the President appointed Messrs. Yancey, Morgan, Yelverton, Dargan, Webb, Gibbons, Clarke, of Marengo, Jemison, Kimball, Winston, Lewis, Watkins, and Clemens.

The President laid before the Convention the following dispatches:

Received at Montgomery, January 7th, 1861, by telegraph from Jackson, Miss., 7th, To Gov. A. B. Moore. A resolution has been passed to raise a committee of fifteen (15), to draft the ordinance of secession.

E. W. PETTUS.

Received at Montgomery, January 7th, 1861, by telegraph from Jackson, 7th, To Gov. A. B. Moore. The Convention met at twelve (12). Mr. Barry is President. The State will probably secede to-morrow or next day.

E. W. PETTUS.

Received at Montgomery, January 7th, 1861, by telegraph from Tallahassee, 7th, To Gov. A. B. Moore. Convention by vote sixty-two (62), to five (5), adopted resolution in favor immediate secession. Committee appointed to prepare ordinance of secession.

E. C. BULLOCK.

Mr. Jemison introduced resolutions as follows :

Resolved 1st, That all the deliberations of this Convention shall be held with closed doors, and in secret, unless when otherwise directed by the Convention.

Resolved 2nd, That on a motion to open the doors of the Convention there shall be no debate except by consent of two-thirds of the Convention.

Resolvod 3rd, That those persons invited with the bar of the Convention shall not be excluded from the secret sessions, unless so ordered by the Convention.

Resolved 4th, That an obligation of strict secrecy in regard to the secret deliberations of this Convetion is imposed upon all members and persons invited within the bar, and the officers of this Convention.

Resolved 5th, That the lobby be set apart for the use of the ladies while we are in open session.

Mr. Baker, of Russell, moved to strike out the first resolution and insert the following :

Resolved, That whenever this Convention shall deem it necessary to hold a secret session it may be done on motion, and a majority vote of the Convention, and thereupon the Door-keeper shall clear the lobby and galleries.—And—

That no debate shall be had on a motion to go into secret session. Lost.

Mr. Lewis asked a division on the first resolution, and it was adopted. Ayes, 82 ; nays, 14.

Those who voted in the affirmative, are—Mr. President, Allen, Bailey, Baker, of Barbour, Barclay, Barnes, Beard, Beck, Bragg, Brasher, Bulger, Catterlin, Clarke, of Marengo, Clarke, of Lawrence, Clemens, Coffey, Coleman, Coman, Creech, Crook, Crumpler, Curtis, Daniel, Dargan, Davis, of Covington, Davis, of Madison, Davis, of Pickens, Dowdell, Earnest, Edwards, Ford, Forrester, Foster, Franklin, Gay, Gibbons, Gilchrist, Green, Guttery, Hawkins, Henderson, of Pike, Herndon, Hood, Howard, Inzer, Jemison, Jewett, Jones, of Fayette, Johnson, Kimball, Leonard, Love, McClanahan, McClellan, McPherson, McKinnie, Morgan, Owens, Phillips, Potter, Ralls, Rives, Russell, Ryan, Sheets, Sheffield, Shortridge, Silver, Slaughter, Smith, of Henry, Smith, of Tuscaloosa, Steadham, Steele, Stone, Taylor, Timberlake, Watts, Webb, Whitlock, Williamsom, Wilson, Winston, Wood, Yancey, Yelverton, Crawford—82.

Those who voted in the negative, are—Messrs. Baker, of Russell, Blue, Bolling, Cochran, Coman, Earnest, Foster, Henderson, of Macon, Jones, of Lauderdale, Lewis, Posey, Starke, Watkins, Whatley.—14.

The remaining resolutions were then adopted. Ayes, 95; nays, 4.

Those who voted in the affirmative, are—Mr. President, Allen, Baily, Baker, of Barbour, Barclay, Barnes, Beard, Beck, Blue, Bragg, Brasher, Bulger, Catterlin, Clarke, of Marengo, Clarke, of Lawrence, Clemens, Coffey, Coleman, Coman, Crawford, Creech, Crook, Crumpler, Curtis, Daniel, Dargan, Davis, of Covington, Davis, of Madison, Davis, of Pickens, Dowdell, Earnest, Edwards, Ford, Forrester, Foster, Franklin, Gay, Gibbons, Gilchrist, Green, Guttery, Hawkins, Henderson, of Macon, Henderson, of Pike, Herndon, Hood, Howard, Mr. Humphries, Inzer, Jemison, Jewett, Jones, of Fayette, Jones, of Lauderdale, Johnson, Kimball, Ketchum, Leonard, Lewis, Love, McClanahan, McClellan, McPherson, McKinnie, Owens, Phillips, Posey, Potter, Ralls, Rives, Russell, Ryan, Sanford, Sheets, Sheffield, Shortridge, Silver, Slaughter, Smith, of Henry, Smith, of Tuscaloosa, Steadham; Steele, Stone, Taylor, Timberlake, Watkins, Watts, Webb, Whatley, Whitlock, Williamson, Wilson, Winston, Wood, Yancey, Yelverton.—95.

Those who voted in the negative, are—Messrs. Baker, of Russell, Bolling, Coman, Foster.—4.

Mr. Bulger moved to suspend the operation of the resolution for the present, which was lost, and the Convention went into secret session.

SECRET SESSION.

Mr. Dargan, from the Committee on rules, made a report which was withdrawn, and

Mr. Morgan moved that the committee be instructed to report with all possible dispatch. Adopted.

Mr. Jemison presented the affidavit of J. R. Kenan, and F. M. Welch, contestants for the seats in this Convention of Messrs. Shortridge and McClanahan, from the county of Shelby, which was ordered to lie on the table until an appropriate committee was raised to which it could be referred.

Mr. Watts presented the following dispatches:

Received at Montgomery, January 8th, 1861, by telegraph from Richmond, 8th, To Gov. A. B. Moore. Our friends here think, the immediate secession of Alabama, not postponed to future time, would exercise a favorable, perhaps controlling effect on the secession of Virginia.

F. M. GILMER, JR.,
A. F. HOPKINS.

Received at Montgomery, Jaunary 8th, 1861, by telegraph from Pensacola, To T. H. Watts. See Major Chase. Send us five hundred (500) men immediately. Let us know.

A. E. MAXWELL,
E. A. PERRY.

Received at Montgomery, January 8th, 1861, by telegraph from Mobile, January 8th, To Gov. A. B. Moore.—

Shall U. S. armed vessels be permitted to enter harbor? If not, shall they be fired on, and destroyed? Specific instructions wanted—they should not enter—else the forts are no protection. G. B. DUVAL.

Mr. Yancey moved that a committee of *one* be appointed to wait on the Governor and get any information he may have in relation to the Florida Forts. Adopted, and Mr. Ketchum appointed.

On motion of Mr. Watts it was ordered that the preceedings of the secret session of the Convention shall be kept in a separate book from that of the open sessions.

Mr. Ketchum, returned and reported that the Governor would make a communication as soon as it could be prepared.

On motion of Mr. Morgan, the communication on the table from His Excellency, the Governor, was taken up and read.

EXECUTIVE DEPARTMENT,
MONTGOMERY, ALA., January 8th, 1861.

Gentlemen of the Convention :

In obedience to the resolution adopted by the Convention on yesterday, requesting me to communicate any information I may have respecting the condition of the country ; I herewith transmit such information as is in my possession, touching the public interests and a brief statement of my acts in regard thereto, and the reasons therefor. All of which are respectfully submitted to the consideration of the Covention. Very Respectfully,

A. B. MOORE.

The General Assembly at its last session passed unanimously, with two exceptions, resolutions requiring the Governor in the event of the election of a Black Republican to order elections to be held for delegates to a Convention of the State. The contingency contemplated having occurred, making it necessary for me to call a Convention, writs of election were issued immediately after the votes of the electoral college were cast. It was my opinion, that under the peculiar phraseology of the resolutions I was not authorized to order elections upon the casting of the popular vote. I therefore determined not to do so.

As the slaveholding States have a common interest in the institution of slavery, and must be common suffererers in its overthrow. I deemed it proper, and it appeared to be the General sentiment of the people, that Alabama should consult and advise with the other slavebolding State, so far as practicable, as to what is best to be done to protect their interest rnd honor in the impending crisis. And seeing that the Conventions of South Carolina and Florida would probably act before the Convention of Alabama assembled, and that the Legislatures of some of the States would meet and might adjourn without calling Conventions, prior to the meeting of our Convention, and thus the opportunity of conferring with them upon the great and vital question, on which you are called io act. I determined to appoint Commissioners to all the slaveholding States. After appointing them to those States, whose Conventions and Legislatures were to meet in advance of the Alabama Convention, it was suggested by wise counsellors that if I did not make similar appointments to the other Southern States, it might seem to be making invidious distinction, which was not intended. Being convinced that it might be so considered, I then petermined to appoint Commissioners to all the slavoholding States, and made the following appointments.

A. T. Hopkins and T. M. Gilmer, Commissioner to Virginia.
John A. Elmore, Commissionner to South Carolina.
J. W. Garrott and Robert H. Smith, Commissioners to North Carolina.
J. L. M. Curry, Commissioner to Maryland.
David Clopton, Commissioner to Delaware.
S. T. Hale, Commissioner to Kentucky.
William Cooper, Commissioner to Missouri.
L. P. Walker, Commissioner to Tennessee.
David Aubbard Commissioner to Arkansas.
John A. Winston, Commissioner to Louisiana.
J. M. Calhoun, Commissioner to Texas.
E. C. Bullock, Commissioner to Floriday,
John Gill Shorter, Commissioner to Georgia.
E. W. Pettus, Commissioner to Mississippi.

All these gentlemen are well known to the people of Alabama, and are distinguished for their ability, integrity and patriotism. The following is a copy of the Commission to each of them in substance.

EXECUTIVE DEPARTMENT,
MONTGOMERY, ALA., December, 1860.

Whereas, the election of Abraham Lincoln, a Black Republican to the Presidency of the United States by a purely sectional vote, and by a party whose leading and pulicly avowed object is the destruction of the institution of slavery as it exists in the slaveholding States, is an accomplished fact. And whereas, the success of said party, and the power which it now has, and soon will acquire greatly endanger the peace, interest, security and honor of the slaveholding States, and make it necessary that prompt and effective measures should be adopted to avoid the evils which must result from a Republican Administration of the Federal Government; and as the interests and destiny of the slaveholding States are the same, they must naturally sympathise with each other; they therefore so far as may be practicabe, should consult and advise together as to what is the best to be done to protect their mutual interest and honor.

Now therefore, in consideration of the premises, I Andrew B. Moore, Governor of the State of Alabama, by virtue of the general powers in me vested, do hereby constitute and appoint Col. John A. Elmore, a citizen of said State, a Commissioner to the sovereign State of South Carolina to consult and advise with His Excellency Gov. Wm. H. Gist, and the members of the Convention to be assembled in said State on the 17th day of December, inst., as to what is best to be done to protect the rights, interests and honor of the slaveholding States, and to report the result of such consultation in time to enable me to communicate the same to the Convention of the State of Alabama to be held on the 7th day of January next.

[L. S.] In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed in the city of Montgomery, this day of December, A. D., 1860.

A. B. MOORE.

I herewith transmit to you the reports, so far as they have been received, and will lay before the Convention any others that may be made immediately on their receipt. I trust that my course in the appointment of these commissioners will meet the approbation of the Convention.

Having satisfactory reason to believe that Alabama would withdraw from the present Union, I considered it my duty to take such steps as would enable the Convention and Legislature to provide the means of putting the State in a condition to protect and defend her citizens, in the event of her secession.

Knowing that the Treasury was not provided with funds sufficient for the purpose—that bonds at such a crisis could not be sold out of the State, except at a great sacrifice, and believing that at such a time, additional taxation upon the people should be avoided, if possible, I determined to take the responsibility of requesting the banks to suspend specie payments, for the purpose of retaining their specie to aid the State, provided it should become necessary.—With this view, I addressed a letter to each of the banks, a copy of which will be found in the following address to the people of Alabama, publish on the day of December 1860. I refer the Convention to this address for a full statement of the reasons which induced my action in this matter.

EXECUTIVE DEPARTMENT,
MONTGOMERY ALA., 17th December, 1860.

To the People of Alabama:

Strong appeals have been made to me by many citizens from different sections of the State, to convene the Legislature for the purpose of providing the ways and means of protecting the interests and honor of the State in the impending crisis, and for the further purpose of authorizing the banks to suspend specie payments, to enable them to furnish greater facilities for moving the cotton crop, and thus relieve, to some extent, the embarrassed condition of the cotton market and the people. These appeals were made by those whose opinions are entitled to the highest respect, and are disconnected with the banks, either as directors or stockholders. After giving to the subject the fullest consideration, and viewing it in all its bearings, I determined not to convene the Legislature for reasons which I will now give.

I did not doubt, and do not now, that the Convention to meet on the 7th January, will determine that Alabama shall withdraw from the present Union at an early day.

Should this contingency occur, it will be necessary forthwith, to convene the Legislature to provide for whatever the action of the Convention may render necessary in the way of legislation. The imposition upon the State of the expense of the Convention, and two extra sessions of the Legislature at this time, when economy is a matter of the highest consideration, ought to be avoided if it could be done consistently with the public interests. If the Legislature could anticipate the action of the convention and provide for it, it would supersede the necessity of covening after the convention shall have acted; but this would be impossible.

It was my opinion that if I issued a proclamation calling an extra session of the Legislature, every one would believe that the object in part, was to authorize the banks to suspend specie payments. This would have caused an immediate run upon them, and would in a great measure have exhausted their specie, and thus rendered them unable to aid the State in her emergency or relieve the people.

It appeared to me that these difficulties could be avoided, by the banks and myself assuming responsibilities, which never should be done under any other circumstances.

I considered it a matter of the utmost importance that the specie in the vaults of the banks, should be kept there, so far as it could be done, in order to aid the state in providing the means to sustain herself in the approaching crisis. It would be inexpedient, at such a time, to tax the people, and State bonds could not now be sold except at a great sacrifice. I considered it the duty of banks. upon whom extraordinary privileges had been conferred, to come to the aid of the State in her hour of need, and therefore determined to request them at the same time to suspend specie payments, and retain their specie for the benefit and security of the State, so far as might be necessary.

In this way, a run upon the banks would be avoided, and they would remain in a condition to relieve the State from immediately taxing her people, or selling bonds at a heavy discount; and render unnecessary an extra session of the Legislature, before the meeting of the Convention.

The extension of relief to the people, in selling their cotton crops, would follow as an incident. In consideration of the premises I addressed to each of the banks a letter of which the following is a copy.

EXECUTIVE DEPARTMENT,
MONTGOMERY, ALA., December 4th, 1860,

To the President and Directors of the Central Bank of Alabama.

MONTGOMERY, ALA.

Gentlemen:

The peculiar and extraordinary state of public affairs and the interest of the State, make it a matter of State necessity to ratain in the vaults of the banks all the gold and silver in their possession.

From present prospects, there can scarcely be a doubt that Alabama will secede from the Union before the 4th day of March next. Should that contingency occur, it will be necessary for the State to raise not less than a million of dollars in specie, or its equivalent. Under the circumstances, which surround us, we could not sell State bonds, either in the North or in Europe, except at a ruinous discount; and it would be inexpedient to tax the people immediately for that purpose. How then can the State secure the money that may be necessary in her emergency?

But one practicable plan now presents itself to my mind, and that is to call upon the banks of the state to come up to her aid. The course of events and the suspension of the South Carolina and Georgia Banks, will create more or less uneasiness in the minds of bill holders, and will induce many of them to draw the specie from the banks to the extent of the notes they may hold, and thus render the banks unable to aid the State, as they otherwise could do.

I am strongly urged from various parts of the State to convene the Legislature for the purpose of authorizing the banks to suspend specie payments, and thus enable them to retain their specie for the purposes suggested.

I have reflected much and anxiously upon the subject. I am satisfied were I to convene the Legislature for the purpose stated, that it would produce a run on the banks, and in a great measure exhaust their specie and defeat the object I have in view.

With the view then, of enabling the Banks to retain their specie for the purpose aforesaid, I deem it my duty under the circumstances, to advise and request them to suspend, all at the same time.

The high and patriotic motives which would induce the act, would sustain the banks and me. There can be no doubt that the Convention and Legislature soon to meet will sustain and legalize the act. I will sanction it, and will institute no proceedings, against them, and in my message to the Legislature and Convention will urge them to sanction the act, which I am sure they will do.

If need be, after the suspension, I will write an address to the people of the State, stating the facts and circumstances under which the step was taken. I am satisfied that the banks are in a sound condition and can maintain it through the present crisis; but it will render them unable to give the State that aid she will need.

I have written similar letters to all the banks. The contents of this communication are respectfully submitted to your consideration. Very Respectfully,

Your obedient servant.

A. B. MOORE.

At my suggestion and request, and for the purposes stated in my letter, the Commercial Bank at Selma, the Central Bank at Montgomery and the Eastern Bank at Eufaula suspends this day. It is due to those Banks that I should say (being advised of their condition) that they are able to sustain themselves through the crisis, and that they have taken this important step with the high and patriotic motive of sustaining the State, as shown by the response of each of them to my letter. Their letters are filed in my office, and would have been published but for the length they would give this communication.

There is no necessity for any depreciation of their notes as there can be no question of their solvency.

The circumstances under which they have suspended, should relieve them from any censure. If censure is to fall upon any one it should be upon me, and I rely for my justification upon the manifest propriety and necessity of the act, as well as the motives which induced it. The Bank of Mobile, and the Southern Bank of Alabama decline to suspend, but patriotically pledge themselves to raise their proportion of the amount suggested in my letter, should there be a necessity for it. These two banks being located in Mobile, can procure specie and exchange with more facility than the banks in the interior, and are not so liable to be prejudiced by the suspended banks of South Carolina and Georgia. Hence their ability to aid the State without suspending specie payments.

The Northern Bank at Huntsville also declines to suspend on account of peculiar circumstances which surround it.

I have now briefly stated the circumstances and facts, connected with the suspension of three of our banks, in accordance with the promise contained in my letter, and hope they will be satisfactory to the enlightened and patriotic people of Alabama, for whose benefit this great responsibility has been assumed.

A. B. MOORE.

I am authorized to say that the Banks are prepared to loan the State their proportionate share of one million dollars, should her necessities require it.

The Convention is aware that I have had Fort Morgan, Fort Gaines and Mount Vernon occupied by the troops of Alabama. My reason for this importont step are briefly and plainly set forth in the following letter addressed to the President of the United States, as soon as I was officially informed that the Forts and Arsenal had been occupied.

EXECUTIVE DEPARTMENT,
MONTGOMERY, ALA., January 4th, 1861.

To His Excellency James Buchanan, President of the United States.

Sir :—In a spirit of frankness, I hasten to inform you by letter that by my order Fort Morgan and Fort Gaines and the United States Arsenal at Mount Vernon were on yesterday peaceably occupied, and are now held by the troops of the State of Alabama. That this act on my part may not be misunderstood by the Government of the United States, I proceed to state the motives which have induced it and the reasons which justify it, and also the course of conduct with which I design to follow that act.

A Convention of the people of this State will, in pursuance of a previously enacted law, assemble on the 7th inst. I was fully convinced by the evidences which I had, that that convention would at an early day, in the exercise of an authority which in my judgment of right belongs to it, withdraw the State of Alabama from the Government of the United States, and place it in the attitude of a separate and independent power. Being thus convinced I deemed it my duty to take every precautionary step to make the secession of the State peaceful, and prevent detriment to her people. While entertaining such a conviction as to my duty, I received such information as left but little if any room to doubt that the Government of the United States, anticipating the secession of Alabama, and preparing to maintain its authority within this State by force, even to the shedding of the blood and the sacrifice of the lives of the people, was about to reinforce those forts, and put a guard over the Arsenal. Having that information, it was but an act of self-defence, and the plainest dictate of prudence to anticipate and guard against the contemplated movement of the authorities of the General Government. Appreciating, as I am sure you do, the courage and spirit of our people, you must be sensible that no attempt at the coercion of the State, or at the enforcement by military power of the authority of the United States within its jurisdiction, in contravention of the Ordinance of secession can be effectual, unless our utmost capacity for resistance can be exhausted. It would have been an unwise policy, suicidal in its character to have permitted the Government of the United States to have made undisturbed preparations within this State, to enforce, by war and bloodshed, an authority which it is the fixed purpose of the people of the State to resist to the uttermost of their power. A policy so manifestly unwise, would probably have been overruled by an excited and discontented people, and popular violence might have accomplished that, which has been done by the State much more appropriately and much more consistently with the prospect of peace, and the interests of the parties concerned.

The purpose with which my order was given and has been executed, was to avoid and not to provoke hostilities between the State and Federal Government. There is no object save the honor and independence of my State, which is by me so ardently desired as the preservation of amicable relations between this State and the Government of the United States. That the secession of the State, made necessary by the conduct of others, may be peaceful is my prayer as well as the prayer of every patriotic man in the State.

An inventory of the property in the forts and Arsenal has been ordered, and the strictest care will be taken to prevent the injury or destruction of it, while peaceable relations continue to subsist, as I trust they will. The forts and Arsenal will be held by my order only for the precautionary purpose for which they were taken, and subject to the control of the Convention of the people to assemble on the 7th inst.

With distinguished consideration,
I am your obedient servant,
A. B. MOORE.

The Forts and Arsenal will be held subject to such instructions and directions as the Convention may think proper to give. Strict orders have been given the officers in command at the places mentioned to take an inventory of the arms and ammunitions and public stores and see that all are protected and preserved.

I am fullly aware that in all I have done in regard to the matters herein communicated, I have taken great responsibilities. For my justification, I rely upon the propriety and necessity of the course I have taken, and upon the wisdom and patriotism of the Convention and people of Alabama. In this great and trying crisis, I have done all I could do to prepare the State for any emergency that might occur. The great and responsible duty of protecting the rights, interests and honor of Alabama is now imposed on the Convention; and I do not doubt that her present proud and high position will be maintained. May the God of Wisdom and justice guide you in your counsels.

Mr. Clemens moved that the communication and accompanying reports be printed, which was laid on the table temporarily.

On motion of Mr. Yancey, it was resolved that the State Printer shall be the Printer of this Convention on the same terms he receives as State Printer, and that he shall be sworn to secrecy.

Mr. Cochran introduced the following resolution:

Resolved, That the Governor of this State is requested and authorized to take such steps and adopt such measures as, in his judgment, may be necessary to protect the interests of the people of Alabama; and that his action in taking temporary possession of the forts and arsenal within the borders of Alabama is approved.

Resolved 2d, That to enable the Governor to carry out the objects of the preceding resolution, the sum of ten thousand dollars is hereby appropriated and placed at his disposal.

Mr. Yancey moved to strike out all after the word "Resolved," and insert,

That the Governor be instructed to accept the service of five hundred volunteers, to be placed under orders of the Governor of Florida, with a view to the taking possession of the forts at Pensacola, for the purpose of protecting the State of Alabama from invasion and coercion, during the deliberations of this Convention upon the question of resuming the sovereign powers of the people of Alabama; and that for this purpose ten thousand dollars be appropriated out of funds in the Treasury.

The amendment was accepted, as also the following amendment offered by Mr. Dargan:

Resolved, That the citizens of this State who have volunteered for the defence thereof, or who may volunteer as soldiers under the authority of our sister slaveholding States, for their defence against any hostile or coercing power, shall be protected by the power of this State against any proceeding which may be instituted against them by the Government of the United States on that account.

Mr. Kimball moved to refer the resolutions to the committee of thirteen.

During the pending of this motion, a communication was received from the Governor, which was read and ordered to lie on the table for the present:

EXECUTIVE DEPARTMENT, 8th January, 1861.

Hon. William M. Brooks, President of the Convention of the State of Alabama:

In reply to a verbal communication from the body over which you preside, made by one of its members, I make the following statement. My information in regard to Pensacola is that Governor Perry, of Florida, has informed me by despatch that he has ordered the forts to be occupied by the troops of Florida, and asks aid from Alabama.

The force at his command in West Florida is small, and not sufficient to take and maintain the forts. Troops from Alabama could reach that point before the troops of East and Middle Florida. This fact, with the importance of the position to Alabama as well as to Florida, induces him to make the request, as I am informed. It is believed at Washington, in South Carolina and Georgia, as I am advised from high sources, that it is not only the policy of the Federal Government to coerce the seceding States, but as soon as possible to put herself in position by reinforcing all the forts in the States where secession is expected. I need not suggest the danger to Florida and Alabama that must result from permitting a strong force to get possession of these forts.

With sentiments of high consideration and respect,

A. B. MOORE.

On motion of Mr. Yancey, the Door keeper was authorized to procure an assistant, to secure the doors until fastenings can be procured.

Mr. Morgan moved to amend Mr. Kimball's motion, and refer the resolution to a committee of five. Withdrawn.

Mr. Smith, of Tuscaloosa, moved to adjourn, but withdrew the motion at the request of Mr. Jemison, and the subject before the House was temporarily postponed to enable Mr. Jemison to offer the following resolutions, which were adopted:

Resolved, That the Secretary be authorized to procure the services of a competent person as Recording Secretary, who shall also act as Engrossing Clerk.

Resolved, That the regular hour of meeting of this Convention shall be 11 o'clock, a. m., until otherwise ordered.

Mr. Edwards moved to adjourn. Lost.

Mr. Watts moved to amend Mr. Kimball's motion, and refer the resolutions to a committee of seven, to report at 8 o'clock this evening.

Mr. Whitlock moved to adjourn until 11 o'clock to-morrow. Lost.

Mr. Watts asked leave to withdraw his motion to refer to a committee of seven. Objection was made, and

Mr. Cochran Moved that Mr. Watts have leave to withdraw his motion. Granted, and the motion was withdrawn.

Mr. Kimball withdrew his motion, but afterwards renewed it, and it was lost.

The question recurring on the adoption of the resolutions,

Mr. Morgan called for a division, and the first resolution was passed by a vote of ayes 52; nays 47.

Those who voted in the affirmative are:—Mr. President, Baily, Baker, of Barbour, Baker, of Russell, Barnes, Beck, Blue, Bolling, Bragg, Chatterlin, Clark, of Marengo, Cochran, Coleman, Creech, Crook, Curtis, Daniel, Dargan, Davis, of Covington, Davis, of Pickins, Dowdell, Gibbons, Gilchrist, Hawkins, Henderson, of Macon, Henderson, of Pike, Herndon, Howard, Humphries, Jemison, Jewett, Ketchum, Love, McClanahan, McPherson, McKinnie, Morgan, Owens, Phillips, Ralls, Rives, Ryan, Shortridge, Silver, Smith, of Henry, Starke, Stone, Watts, Webb, Whatley, Williamson, Yancey, Yelverton—52.

Those who voted in the negative are:—Messrs. Allen, Barclay, Beard, Brasher, Bulger, Clark, of Lawrence, Clemens, Coffey, Coman, Crawford, Crumpler, Davis, of Madison, Edwards, Ford, Forrester, Foster, Franklin, Gay, Green, Guttery, Hood, Inzer, Jones, of Fayette, Jones, of Lauderdale, Johnson, Kimball, Leonard, Lewis, McClellan, Posey, Potter, Russell, Sanford, Sheets, Sheffield, Slaughter, Smith, of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Watkins, Whitlock, Wilson, Winston, Wood—47.

And the resolution was ordered to be engrossed by the Secretary and sent forthwith to the Governor.

On motion by Mr. Jemison, the second resolution was ordered to be referred to a committee of five, to be appointed by the President.

And the Convention adjourned till 10 o'clock to-morrow.

SECRET SESSION.

MONTGOMERY, ALA,
January 9th, 1861.

The Convention was called to order at 10 o'clock, a. m., by the President, and was opened with prayer from Rev. G. H. W. Petrie, of Montgomery.

Journal of yesterday read and approved.

Mr. Brasher asked leave to record his vote in the negative on the resolution passed yesterday relative to sending troops to Florida. Granted.

Mr. Green asked leave to change his vote from the affirmative to the negative on same resolution. Granted.

Mr. Baker asked leave to record his vote on the same resolution. Granted; and Mr. Baker voted aye.

The vote was then revised, and stood ayes 52, nays 47.

The President announced the committee of five under Mr. Jemison's motion of yesterday, to whom is referred the resolution relative to protecting citizens of this State in certain cases. Committee consists of Messrs. Jemison, Dowdell, Cochran, Davis, of Madison, and Coleman.

Messrs. Geo. H. Shorter and Samuel G. Reid, State Printers, who were on yesterday elected Printers to the Convention, appeared and were sworn to secrecy.

On motion by Mr. Cochran, Judge H. L. Benning, of Georgia, was invited to a seat within the bar of the Convention.

On motion of the Clerk, of Marengo, it was

Resolved, That the Door-keeper of this Convention be required to employ two pages to wait on the members thereof.

Mr. Yancey moved that the pay of the pages shall be one dollar each per day. Adopted.

Mr. Jemison moved to take from the table the Governor's first communication on yesterday. Carried, and 500 copies ordered to be printed.

On motion by Mr. Kimball, the pages ———— and ———— sworn to secrecy.

Mr. Shortridge offered the following resolution, which was adopted:

Resolved, That the Hon. James L. Pugh and the Hon. J. L. M. Curry be requested to communicate to the Convention, in writing, any facts or information which may be in their possession, touching the action of Congress, and the purposes of the Black Republican party, which will, in their opinion, tend to aid this body in its deliberations.

Mr. Davis, of Madison, presented the following resolution:

Resolved, That whatever ordinance this Convention may adopt in its final action, contemplating or providing for a severance of the State of Alabama from the Federal Government, ought to be submitted to the people for ratification or rejection.

Mr. Cochran moved to lay the resolution on the table, but withdrew it at the request of

Mr. Baker, of Russell, for explanation, and he renewed the motion.

The ayes and nays were called, and resulted—ayes, 53; nays, 46.

Those who voted in the affirmative are:—Messrs. President, Baily, Baker, of Barbour, Baker, of Russell, Beck, Barnes, Blue, Bolling, Bragg, Catterlin, Clarke, of Marengo, Cochran, Coleman, Crawford, Creech, Crook, Curtis, Daniel, Dargan, Davis, of Covington, Davis, of Pickins, Dowdell, Foster, Gibbons, Gilchrist, Hawkins, Henderson, of Macon, Henderson, of Pike, Herndon, Howard, Humphries, Jewett, Ketchum, Love, McClanahan, McPherson, McKinnie, Morgan, Owens, Phillips, Rives, Ryan, Shortridge, Silver, Smith, of Henry, Starke, Stone, Watts, Webb, Whatley, Williamson, Yancey, Yelverton—53.

Those who voted in the negative are:. Messrs. Allen, Barclay, Beard, Brasher, Bulger Clarke, of Lawrence, Coffey, Coman, Crumpler, Davis, of Madison, Earnest, Edwards, Ford, Forrester, Franklin, Gay, Green, Guttery, Hood, Inzer, Jemison, Jones, of Fayette, Jones, of Lauderdale, Johnson, Kimball, Leonard, Lewis, McClellan, Posey, Potter, Ralls, Russell, Sanford, Sheets, Sheffield, Slaughter, Smith, of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Watkins, Whitlock, Wilson, Winston, Wood—46.

Mr. Clemens absent and not voting.

Mr. Earnest moved to take from the table the reports of the commissioners to the slave-holding States, as communicated by the Governor. Darried.

Mr. Baker, of Russell, moved to go into open session, and

Mr. Dowdell moved, as amendment, that when this Convention is in open session the flag of Alabama shall be raised from the capitol.

The amendment was accepted, the motion adopted, and the doors of the Convention were opened.

The Secretary informed the President that he had ap pointed W. H. C. Price, of Macon, Recording and Engrossing Secretary.

The Convention then went into open session.

OPEN SESSION.

MONTGOMERY, ALA.,
January 9th, 1861.

The proceedings of previous session were approved.

Mr. Yancey offered the following resolution:

Resolved, That the following committees, to consist of seven members, be appointed by the President:

1. Committee on Printing.
2. Committee on Enrollment.
3. Committee on Credentials.

Mr. Bulger introduced the following preamble and resolutions, which, on his motion, were referred to the committee:

Whereas, Anti-slavery agitation persistently continued in the nonslaveholding States of this Uion, for a long series of years, and in the late election was triumphant in the election of a President who sympathises with the enemy of domestic, or African slavery, thereby rendering our property and our institutions insecure, and

Whereas, We have been summoned together in Convention to consider, determine, and do whatever in the opinion of the said Convention the rights interests and honor of the State of Alabama require to be done for their protection. And

Whereas, This Convention, taking into consideration the actual situation of the country, as well as reflecting on the alarming circumstances by which we are surrounded, can no longer doubt that the crisis is arrived at which the conservative men of the United States are to decide the solemn question, whether they will be wise, and with magnanimous efforts secure and perpetuate the blessings of a *Union* consecrated by the common blood of our fathers, or whether by giving way to unmanly jealousies and prejudices, or to partial and transitory interest, they will renounce the auspicious blessings prepared for them by their revolutionary fathers, and furnish to the enemies of free government an eventual triumph. And

Whereas, The same noble and extended policy, and the same paternal and affectionate sentiment which originally determined the citizens of the independent colonies to form a Confederation, and the people of the States afterwards to form a more perfect Union, cannot but be felt with equal force now as motives to lay aside every inferior consideration, and to concur in such further provisions as may be found necessary to secure every section of our vast country in all their just rights and throw around the weaker portion, (the Southern States,) such guarantees as will enable them to rest securely in the *Union*, and restore peace and quiet to the country.

Therefore be it Resolved, That separate State secession in the present emergency, is unwise and impolitic, and Alabama will not secede without first making an effort to secure the co-operation of the Southern States.

Resolved 2d, That this Convention invites each of the Southern (or slaveholding) States to meet the State of Alabama in a Convention of delegates equal in numbor to their several Representatives in the Congress of the United States, at ———— on the ——— day of ———— for the purpose of consideration and agreement as to the wrongs that we suffer in the Union, and the dangers that we are threatened with, and determining what relief we will demand for the present and security for the futnre, and what remedy we will apply if our just demands are not complied with.

Resolved 3d. That the President of this Convention be requested forthwith to forwarn by the most speady conveyance, a copy of this preamble and resolutions to the Governors of the several Southern States with a request that they give them such direction as will be most likely to secure the object desired, to-wit: The co-operation of all the Southern States in securing their rights in the Union, or establishing their independence out it.

Mr. Baker, of Russell, introduced the following resolution:

Resolved, That the Governor of this State be respectfully requested to furnish this Convention with the following information.

1. The number of arms? the character or discription of them, which he has purchased for the State by virtue of an act of the last Legislature appropriating two hundred

thousand dollars for that purpose, and the price paid for each descrpition of arms.

2. What amount of that fund has been expended in the purchase of these arms, and the necessary expenses attending the same.

3. How many of these arms are now on hand and how many have been distributed?

4. And any other information connected with the number and character of arms which are under his control.

Mr. Jemison offered the following amendment, which was accepted:

Resolved, That he further communicate how many military companies are now in the service of the State, when each entered said service and the number of each company, and the particular service in which each is engaged.

Mr. Yancey proposed the following amendment, which was also accepted.

And the amount of ordnance owned by the State, and its character, and what ammunition and military stores of all descriptions is now owned by the State.

And also, information as to the amount and character of the property of the United States, and other property found in Forts Morgan and Gaines and in the Arsenal at Mount Vernon, now in possession of the State.

Mr. Coleman offered the following amendment, which was accepted, and the entire resolutions were then adopted:

Resolved, That the information herein requested shall be read only in secret session.

Mr. Baker of Russell, introduced the following resolution which was adopted:

Resolved, That the Treasurer of this State be respectfully requested to furnish this Convention with such information as will enable this body to ascertain the amount of money and other available assets now in the State Treasury which has not been appropriated, as well as the characters and description of the same.

Mr. Coleman introduced the following resolution:

Resolved, By the people of the State of Alabama in Convention assembled, that they pledge the power of this State to aid in resisting any attempt upon the part of the Government of the United States of America to invade or coerce any of the seceding States.

Mr. Davis of Madison moved to refer the resolution to the Committee of thirteen.

After discussion, Mr. Davis withdrew his motion.

Mr. Bragg moved to refer fhe resolution to the Committee of five, of which Mr. Jemison is chairman, with instructions to report to-morrow morning on the assembling of the Convention.

After discussion, Mr. Bragg by leave withdrew his motion.

On motion of Mr. Morgan the Convention then adjourned until to-morrow morning at 11 o'clock.

SECRET SESSION.

MONTGOMERY, ALA.,
January 10th, 1861.

The President called the Convention to order at 11 o'clock, A. M., and it was opened with prayer by Rev. Jas. A. Heard.

Yesterday's proceeding were read and approved.

Gen Jno. W. A. Sanford, Commissioner from the State of Georgia to this State was invited to a seat within the bar of the Convention.

Mr. Bulger offered the following resolution.

Resolved, That the members of the present Legislature of Alabama be invited to seats in the lobby of this house during the settings of the Convention.

Mr. Clemens objected to the introduction of the resolution at this time and was decided to be out of order by the President.

The President laid before the Convention an official dispatch from the State of Mississippi:

Received at Montgomery Janury 9th, 1861, by telegraph from Jackson January 9th, To Hon. Wm. M. Brooks.

I am instructed by the Mississippi State Convention to inform you that the State of Mississippi by a vote of her Convention approaching unanimity, has seceded unconditionally from the Union, and desires on the basis of the old constitution, a new Union with the seceding States.

W. S. BARRY,
President Convention.

And also dispatches from Charleston, as follows:

Received at Montgomery, January 9th, 1861, by telegraph from Charleston, January 9th, To John A. Elmore.

The steamer with reinforcements was fired into by the forts, disabled—retreated and lying at anchor. This is certain—reports of her hauling down her colors I do not vouch for. WM. E. MARTIN.

Received at Montgomery, January 9th, 1861, by telegraph from Charleston, January 9th, To John A. Elmore, or President of Convention.

Anderson, it is said—and believed—intends firing upon our shipping and cutting off communication with the fort.

WM. E. MARTIN.

Received at Montgomery, Jannary 9th, 1861, by telegraph from Charleston, January 9th, To John A. Elmore, or President of Convention.

Anderson writes to the Governor that he will fire into all ships. The Governor replies, and justifies what we did.—Now, Anderson replies his mind changed, and refers the question to Washington.

WM. E. MARTIN.

These dispatches were laid on the table as information.

The President laid before the Convention a communication addressed to the Hon. Alexander White, but intended for the President of this Convention.

Mr. Jemison submitted a resolution in relation thereto, as follows:

Resolved, That the communication addressed to the Hon. Alexander White, containing, or presumed to contain, the evidence of the late election for members of this Convention in the county of Shelby, be, and the same is hereby, received by this Convention, waiving all irregularity in the address of said communication to the Hon. Alexander White, instead of the President of this Convention.

Be it further Resolved, That the reception of the communication under the waiver of irregularity as to address, shall not extend to any irregularity or informality, does not effect the testimony or any other matter except the address itself.

Mr. Yancey moved to lay the resolutions on the table.

The ayes and nays were called, and resulted, ayes, 43; nays, 54.

Messrs. McClanahan and Shortridge were excused from voting.

Those who voted in the affirmative, are—Messrs. Baker of Barbour, Beck, Blue, Bolling, Bragg, Brasher, Catterlin, Clarke, of Marengo, Cochran, Coleman, Creech, Crook, Curtis, Daniel, Dargan, Davis, of Covington, Davis, of Pickens, Dowdell, Gibbons, Gilchrist, Hawkins, Henderson, of Macon, Henderson, of Pike, Howard, Humphries, Jewett, Ketchum, Love, McPherson, McKinnie, Morgan, Owens, Phillips, Rives, Ryan, Silver, Smith, of Henry, Starke, Stone, Watts, Whatley, Williamson, Yancey, Yelverton.—43.

Those who voted in the negative, are—Messrs. President, Allen, Bailey, Baker, of Russell, Barclay, Barnes, Beard, Bulger, Clarke, of Lawrence, Clemens, Coffey, Coman, Crawford, Crumpler, Davis, of Madison, Earnest, Edwards, Ford, Forrester, Foster, Franklin, Gay, Green, Guttery, Herndon, Hood, Inzer, Jemison, Jones, of Fayette, Jones, of Lauderdale, Johnson, Kimball, Leonard, Lewis, McClellan, Posey, Potter, Ralls, Russell, Sanford, Sheets, Sheffield, Slaughter, Smith, of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Watkins, Webb, Whitlock, Wilson, Winston, Wood—54.

Mr. Morgan moved to postpone the consideration of the resolution until 2 o'clock to-morrow.

Mr. Jemison proposed to withdraw his resolution, and submit the document to Messrs. Shortridge and McClanahan for inspection. Leave was granted, and the resolution withdrawn.

Mr. Yancey, from the Committee of Thirteen, reported as follows :

"The Committee to whom it was committed to consider upon and report what action was necessary to be taken by this Convention in order to protect and preserve the rights and independence of the people of the State of Alabama, beg leave to report that they have calmly and thoughtfully considered the great matter committed to them, and they have instructed me to report the accompanying ordinance and resolutions. W. L. YANCEY,
Chairman.

MAJORITY REPORT.

An Ordinance to dissolve the Union between the State of Alabama and other States united under the compact styled "The Constitution of the United States of America."

Whereas, the election of Abraham Lincoln and Hannibal Hamlin to the offices of President and Vice President of the United States of America, by a sectional party, avowedly hostile to the domestic institutions and to the peace and security of the people of the State of Alabama, preceded by many and dangerous infractions of the Constitution of the United States by many of the States and people of the Northern section, is a political wrong of so insulting and menacing a character as to justify the people of the State of Alabama in the adoption of prompt and decided measures for their future peace and security; therefore,

Be it declared and ordained by the people of the State of Alabama, in Convention assembled, That the State of Alabama now withdraws, and is hereby withdrawn, from the Union known as "the United States of America," and henceforth ceases to be one of said United States, and is, and of right ought to be, a Sovereign and Independent State.

SEC. 2. *Be it further declared and ordained by the people of the State of Alabama, in Convention assembled,* That all the powers over the Territory of said State, and of the people thereof, heretofore delegated to the Government of the United Stares of America, be, and they are hereby, withdrawn from said Government, and are hereby resumed and vested in the people of the State of Alabama.

And, as it is the desire and purpose of the people of Alabama to meet the slaveholding States of the South, who may approve such purpose, in order to frame a provisional as well as permanent Government upon the principles of the Constitution of the United States,

Be it resolved by the people of Alabama, in Convention assembled, That the people of the States of Delaware, Maryland, Virginia, North Carolina, South Carolina, Florida, Georgia, Mississippi, Louisiana, Texas, Arkansas, Tennessee, Kentucky and Missouri, be, and are hereby, invited to meet the people of the State of Alabama, by their Delegates, in Convention, on the 4th day of February, A. D., 1861, at the city of Montgomery, in the State of Alabama, for the purpose of consulting with each other as to the most effectual mode of securing concerted and harmonious action in whatever measures may be deemed most desirable for our common peace and security.

And be it further resolved, That the Piesident of this Convention be, and is hereby, instructed to transmit forthwith a copy of the foregoing Preamble, Ordinance and Resolutions to the Governors of the several States named in said resolutions.

Done by the people of the State of Alabama, in Convention assembled, at Montgomery, on this, the eleventh day of January, A. D. 1861.

MINORITY REPORT.

Mr. Clemens, from the minority of the same Committee, made a report with resolutions, as follows:

The undersigned, a minority of the Committee of Thirteen, to whom was referred all matters touching the proper mode of resistance to be adopted by the State of Alabama, in the present emergency, beg leave to present the following

REPORT:

Looking to harmony of action among our own people as desirable above all other things, we have been earnestly desirous of concurring with the majority in the line of policy marked out by them, but after the most careful consideration we have been unable to see in Separate State Secession the most effectual mode of guarding our honor and securing our rights. Without entering into any argument upon the nature and amount of our grievances, or any speculations as to the probability of obtaining redress and security in the Union, but looking alone to the most effectual mode of resistance, it seems to us that this great object is best to be attained by the concurrent and concerted action of all the States interested, and that it becomes us to make the effort to obtain that concurrence, before deciding finally and conclusively upon our own policy.

We are further of opinion that, in a matter of this importance, vitally affecting the property, the lives and the liberties of the whole people, sound policy dictates that an ordinance of secession should be submitted for their ratification and approval. To that end, the resolutions which accompany this report have been prepared and are now submitted to the Convention.

The undersigned purposely refrain from a detailed statement of the reasons which have brought them to the conclusions at which they have arrived. The action proposed by the majority of the Committee is, in its nature, final and conclusive—there is no chance for rehearing or revision; and we feel no disposition to submit an argument, whose only effect will be to create discontent, and throw difficulties in the way of a policy, the adoption of which we are powerless to prevent. In submitting our own plan, and using all fair and honorable means to secure its acceptance, our duty is fully discharged—to insist upon objections when they can have no effect but to excite dissatisfaction among the people, is alike foreign to our feelings and to our conceptions of patriotic duty.

The resolutions herein before referred to, are prayed to be taken as part of this Report, and the whole is herewith respectfully submitted.

JERE. CLEMENS,
DAVID P. LEWIS,
WM. O. WINSTON,
A. KIMBAL,
R. S. WATKINS,
R. JEMISON, JR.

WHEREAS, repeated infractions of the Constitution of the United States by the people and States of the Northern section of the Confederacy have been followed by the election of sectional candidates by a strictly sectional vote, to the Presidency and Vice Presidency of the United States, upon a platform of principles insulting and menacing to the Southern States; and whereas, it becomes a free people to watch with jealous vigilance, and resist with manly firmness every attempt to subvert the free and equal principles upon which our Government was originally founded, and ought alone to be maintained; therefore,

Be it resolved by the people of Alabama, in Convention assembled, That the States of Delaware, Maryland, Virginia, N. Carolina, S. Carolina, Georgia, Florida, Mississippi, Louisiana, Texas, Arkansas, Tennessee, Kentucky and Missouri, be, and they are hereby, requested to meet us in general Convention in the city of Nashville, in the State of Tennessee, on the 22d day of February, 1861, for the purpose of taking into consideration the wrongs of which we have cause to complain—the appropriate remedy therefor, and the time and manner of its application.

Be it further resolved, That the State of Alabama shall be represented in said Convention by nine delegates, one to be selected from each Congressional district, and two from the State at large, in such manner as shall hereafter be directed and provided for by this Convention.

Be it further resolved, That our delegates selected shall be instructed to submit to the general Convention the following basis of a settlement of the existing difficulties between the Northern and the Southern States, to-wit:

1. A faithful execution of the Fugitive Slave Law, and a repeal of all State laws calculated to impair its efficacy.

2. A more stringent and explicit provision for the surrender of criminals charged with offences against the laws of one State and escaping into another.

3. A guarantee that slavery shall not be abolished in the District of Columbia, or in any other place over which Congress has exclusive jurisdiction.

4. A guarantee that the inter-state slave trade shall not be interfered with.

5. Protection to slavery in the Territories, while they are Territories, and a guarantee that when they ask for admission as States they shall be admitted into the Union with or without slavery as their constitutions may prescribe.

6. The right of transit through free States with slave property.

7. The foregoing clauses to be irrepealable by amendments to the Constitution.

Be it further resolved, That the basis of settlement prescribed in the foregoing resolution shall not be regarded by our delegates as absolute and unalterable, but as an indication of the opinion of this Convention, to which they are expected to conform as nearly as may be, holding themselves, however, at liberty to accept any better plan of adjustment which may be insisted upon by a majority of the slaveholding States.

Be it further resolved, That if the foregoing proposition for a conference is refused, or rejected, by any or all of the States to which it is addressed, Alabama, in that event, will hold herself at liberty, alone, or in conjunction with such States as may agree to unite with her, to adopt such plan of resistance, and mature such measures, as in her judgment may seem best calculated to maintain the honor and secure the rights of her citizens; and in the meantime we will resist, by all means at our command, any attempt on the part of the General Government to coerce a seceding State.

Be it further resolved, That the President of this Convention be instructed to transmit copies of the foregoing preamble and resolutions to the Governors of each of the States therein named.

And also the following resolution from the same:

Be it resolved by the people of Alabama, in Convention assembled, That an ordinance of secession from the United States is an act of such great importance, involving consequences so vitally affecting the lives, liberty and property of the citizens of the seceding State, as well as the States by which it is surrounded, and with which it has heretofore been united, that in our opinion it should never be attempted until after the most thorough investigation and discussion, and then only after a full and free ratification at the polls by a direct vote of the people, at an election held under the forms and safeguards of the law in which that single issue, untrammeled and undisguised in any manner whatever, should alone be submitted.

And, on motion by Mr. Clemens, the minority report was laid on the table, and the report of the majority taken up.

In accordance with the request of the Committee of Thirteen,

Mr. Yancey moved an agreement to the recommendation of the Committee with reference to the ordinance and resolutions reported from the majority, which, on motion of Mr. Watts, was amended by striking out that part relating to the time of ending the discussion, and thus adopted.

Mr. Yancey moved to take up the ordinance of secession, and that it be adopted.

Mr. Clemens moved that the preamble and first series of resolutions be taken up and substituted for the ordinance.

The ayes and nays were demanded.

Mr. Morgan moved a call of the roll, and 97 members answered to their names—the absentees being Messrs. Brasher, Inzer and Timberlake.

The ayes and nays were then called on the motion of Mr. Clemens, and it was lost—ayes, 45; nays, 54.

Those who voted in the affirmative, are—Messrs. Allen, Barclay, Beard, Bulger, Clarke, of Lawrence, Clemens, Coffey, Coman, Crumpler, Davis, of Madison, Earnest, Edwards, Ford, Forrester, Franklin, Gay, Green, Guttery, Hood, Inzer, Jemison, Jones, of Fayette, Jones, of Lauderdale, Johnson, Kimball, Leonard, Lewis, McClellan, Posey, Potter, Russell, Sanford, Sheets, Sheffield, Slaughter, Smith, of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Watkins, Whitlock, Wilson, Winston, Wood.—45.

Those who voted in the negative, are—Messrs. President, Bailey, Baker, of Barbour, Baker, of Russell, Barnes, Beck, Blue, Bolling, Bragg, Catterlin, Clarke, of Marengo, Cochran, Coleman, Crawford, Creech, Crook, Curtis, Daniel, Dargan, Davis, of Covington, Davis, of Madison, Davis, of Pickens, Dowdell, Foster, Gibbons, Gilchrist, Hawkins, Henderson, of Macon, Henderson, of Pike, Herndon, Howard, Humphries, Jewett, Ketchum, Love, McClanahan, McPherson, McKinnie, Morgan, Owens, Phillips, Ralls, Rives, Ryan, Shortridge, Silver, Smith, of Henry, Starke, Stone, Watts, Webb, Whatley, Williamson, Yancey, Yelverton—54.

Mr. Bulger moved to adjourn till 10 o'clock to-morrow. Lost.

Mr. Clemens offered the following amendment:

Provided, however, that this ordinance, shall not go into effect until the 4th day of March, 1861, and not then unless the same shall have been ratified and confirmed by a direct vote of the people.

On motion by Mr. Jemison, it was decided that absentees from this vote may record their votes, though it should change the result.

The ayes and nays were taken on the amendment, and were, ayes, 44; nays, 54, and the amendment was lost.

Those who voted in the affirmative, are—Messrs. Allen, Barclay, Bulger, Clarke, of Lawrence, Clemens, Coffey, Coman, Crumpler, Davis, of Madison, Earnest, Edwards, Ford, Forrester, Franklin, Gay, Green, Guttery, Hood, Inzer, Jemison, Jones, of Fayette, Jones, of Lauderdale, Johnson, Kimball, Leonard, Lewis, McClellan, Posey, Potter, Russell, Sanford, Sheets, Sheffield, Slaughter, Smith, of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Watkins, Whitlook, Wilson, Winston, Wood.—45.

Those who voted in the negative, are Messrs. President, Baily, Baker, of Barbour, Baker of Russell, Barnes, Beard, Beck, Blue, Bolling, Bragg, Catterlin, Clarke, of Marengo, Cochran, Coleman, Crawford, Creech, Crook, Curtis, Daniel, Dargan, Davis, of Covington, Davis, of Pickens, Dowdell, Foster, Gibbons, Gilchrist, Hawkins, Henderson, of Macon, Henderson, of Pike, Herndon, Howard, Humphries, Jewett, Ketchum, Love, McClanahan, McPherson, McKinnie, Morgan, Owens, Phillips, Ralls, Rives, Ryan, Shortridge Silver, Smith, of Henry, Starke, Stone, Watts, Webb, Whatley, Williamson, Yancey, Yeverton.—54.

Mr. Timberlake offered the following amendment:

Amend by inserting the following after the 2d section, viz: "And it being the desire of the people of the State of Alabama to form a Provisional Government and a Southern Confederacy, upon the basis of the Constitution of the United States of America, with such of the slaveholding States as will join in forming the same, the present resumption of its powers is declared to be for that purpose.

Mr. Whatley moved to lay the amendment on the table.

Mr. Inzer moved to adjourn, but withdrew it.

The ayes and nays were called for on Mr. Whatley's motion, and resulted, ayes, 62; nays, 37.

Those who voted in the affirmative, are--Messrs. President, Allen, Baily, Baker, of Barbour, Barnes, Beck, Blue, Bolling, Bragg, Catterlin, Clarke, of Marengo, Clarke, of Lawrence, Cochran, Coleman, Crawford, Creech, Crook, Curtis, Daniel, Dargan, Davis, of Covington, Davis, of Madison, Davis, of Pickens, Dowdell, Foster, Gibbons, Gilchrist, Green, Hawkins, Henderson, of Pike, Herndon, Howard, Humphries, Jewett, Jones, of Lauderdale, Ketchum, Lewis, Love, McClanahan, McClellan, McPherson, McKinnie, Morgan, Owens, Phillips, Ralls, Rives, Ryan, Sheets, Shortridge, Silver, Smith, of Henry, Starke, Stone, Watts, Webb, Whatley, Williamson, Wood, Yancey, Yelverton.—62.

Those who voted in the negative, are—Messrs. Baker, of Russell, Barclay, Beard, Brasher, Bulger, Clemens, Coffey, Coman, Crumpler, Earnest, Edwards, Ford, Forrester, Franklin, Gay, Guttery, Hood, Inzer, Jemison, Jones, of Fayette, Johnson, Kimball, Leonard, Posey, Potter, Russell, Sanford, Sheffield, Slaughter, Smith, of Tuscaloosa, Steadham, Steele, Taylor, Watkins, Whitlock, Wilson, Winston.—37.

Mr. Yancey moved the following amendment, which was adopted and inserted, after the ordinance and before the resolutions, where it will be found.

Mr. Watts announced the presence of Ex-Gov. Matthews, Commissioner from the State of Mississippi, who was, on motion, invited to a seat within the bar of the House.

On motion by Mr. Jemison, the Convention adjourned until 10 o'clock, to-morrow.

SECRET SESSION.

MONTGOMERY, ALABAMA,
January 11th, 1861.

The President called the Convention to order at 10 o'clock,

a. m., and the Convention was opened with prayer by Rev. O. R. Blue.

Journal of yesterday read and approved.

The President laid before the Convention the following official despatches from the State of Florida:

Received at Montgomery, January 10th, 1861, by telegraph from Tallahassee, the 16th, To His Excellency Gov. Moore.

Florida has seceded unconditionally, by a vote of sixty-two (62) to seven (7.) M. S. PERRY.

The other was from Mr. E. C. Bullock, and precisely similar to the one from Gov. Perry.

They were laid on the table as information.

The President announced that the special order before the Convention was upon the adoption of the report of the majority from the Committee of Thirteen and the Ordinance of Secession.

A communication was received from His Excellency the Governor, transmitting "authentic copies of certain important public proceedings of the State of Mississippi, and also the commission of Hon. Joseph W. Matthews, Commissioner of the State of Mississippi to the State of Alabama," which was ordered to lie on the table for the present.

Mr. Yancey, by leave of the Convention, corrected a clerical error in the — resolution of the Ordinance, by changing "3d" to "4th" day of February.

The vote was then taken by ayes and nays, and the report of the majority and the Ordinance of Secession, as amended, were adopted. Ayes, 61; nays, 39.

Those who voted in the affirmative, are—Messrs. President, Baily, Baker, of Barbour, Baker, of Russell, Barclay, Barnes, Beck, Blue, Bolling, Bragg, Catterlin, Clarke, of Marengo, Clemens, Cochran, Coleman, Crawford, Creech, Crook, Crumpler, Curtis, Daniel, Dargan, Davis, of Covington. Davis, of Pickens, Dowdell, Foster, Gibbons, Gilchrist, Hawkins, Henderson, of Macon, Henderson, of Pike, Herndon, Howard, Humphries, Jewett, Johnson, Ketchum, Leonard, Love, McClanahan, McPherson, McKinnie, Morgan, Owens, Phillips, Ralls, Rives, Ryan, Shortridge, Silver, Slaughter, Smith, of Henry, Starke, Stone, Taylor, Watts, Webb, Whatley, Williamson, Yancey, Yelverton.—61.

Those who voted in the negative, are—Messrs. Allen, Beard, Brasher, Bulger, Clarke, of Lawrence, Coffey, Coman, Davis, of Madison, Earnest, Edwards, Ford, Forrester, Franklin, Gay, Green, Guttery, Hood, Inzer, Jemison, Jones, of Fayette, Jones, of Lauderdale, Kimball, Lewis, McClellan, Posey, Potter, Russell, Sanford, Sheets, Sheffield, Smith, of Tuscaloosa, Steadham, Steele, Timberlake, Watkins, Whitlock, Wilson, Winston, Wood.—39.

And the President announced that the Ordinance of Secession was adopted, and that Alabama is a free, sovereign and independent State.

Mr. Yelverton introduced the following resolution:

Resolved, That the secrecy be removed from the proceedings of this day, and that the President of the Convention be requested to telegraph the information to our members of Congress and the Governors of the slaveholding States.

On motion by Mr. Yancey, the doors of the Convention were thrown open, and the ladies of Montgomery, through Mr. Yancey, presented the State Convention with a beautiful Flag.

Mr. Dargan offered the following resolution:

Resolved, That the Flag presented by the ladies of Montgomery be received, and that the President of the Convention be requested to return to the ladies the thanks of the Convention.

Resolved, That the Flag shall hereafter be raised upon the Capitol as indication whenever the Convention shall be in open session.

Adopted. And, under the last resolution, Mr. Baker, of Barbour, was deputed by the President to perform the duty of accepting the Flag.

Mr. Wood asked leave of absence for a few days.—Granted.

Mr. Baker, of Barbour, offered the following resolution, but witbdrew it for the present:

Resolved, That the Ordinance of Secession just adopted be ordered to be engrossed on parchment, sealed with the great Seal of the State, and, at 12 o'clock, m., on ———, the — day of ———, in the Hall of this Convention, publicly, and in the presence of all the public authorities of Alabama, signed by those members of the Convention who may desire to do so.

On motion by Mr. Morgan, the following resolution was adopted:

Resolved, That a committee of five be appointed by the

President of this Convention, to ascertain as near as may be the popular vote upon the question of the secession of the State of Alabama from the Government of the United States, and report to this body.

And, on motion by Mr. Baker, of Russell, the Convention adjourned until 11 o'clock to-morrow.

SECRET SESSION.

Montgomery, Alabama,
January 12th, 1861.

The Convention was called to order by the President at 11 o'clock, a. m.

Prayer by Rev. Samuel Henderson, (of the Convention.)

Journal of yesterday read and approved.

Mr. Cochran presented the following resolution:

Resolved, That a committee of three be appointed by the President, to wait upon Gen. J. W. A. Sanford, Commissioner to this State from the State of Georgia, and upon Hon. J. W. Matthews, Commissioner from the State of Mississippi to this Convention, and invite them to address the Convention at such times as may be agreeable to them.

Adopted. And Messrs. Cochran, Herndon and Baily were appointed.

The following resolution was adopted, on motion of Mr. Smith, of Tuscaloosa:

Resolved, That the Judges of the Supreme Court, the Attorney-General, and the Judges of the Circuit Courts, be invited to seats within the Hall during the sittings of this Convention.

Mr. Dowdell offered the following resolutions:

Resolved by the people of Alabama, in Convention assembled, That the sum of three hundred thousand dollars be, and the same is hereby, appropriated for the purchase of provisions and supplies to meet the necessities of whatever troops may be called into the service of the State, and that ——— be selected as special agent to purchase the same immediately, under the directions of the Governor of the State.

Resolved, 2d, That said agent shall be required to enter into sufficient bond for the faithful discharge of said duty, payable to the Governor of the State, in such amount as he may direct, and to be approved by him.

Resolved, 3*d*, That the Governor of the State be, and is hereby authorized to borrow said amount upon the faith and credit of the State.

Consideration of this resolution was suspended to enable Mr. Morgan to introduce the following resolution, which was adopted:

Resolved, That the Governor be requested to communicate to this Convention any information he may have as to the condition of the military operations near Pensacola.

Consideration of Mr. Dowdell's resolutions being resumed, Mr. Watts moved to amend as follows:

Resolved, further, That an additional sum of one hundred thousand dollars be appropriated, and placed at the disposal of the Governor of the State, to be used in preparing for the defence of the State.

And, on motion by Mr. Clemens, the resolutsons were ordered to be referred to the Committee on Military Affairs, when raised.

Mr. Dargan made a report from the Committee on Rules, as follows:

Your Committee, to whom was referred the duty of reporting rules for the Government of this Convention, on their deliberation and action, Report:

That there should be appointed the following Standing Committees:

1. A Committee on the Constitution.
2. A Committee on Military Affairs.
3. A Committee on Finance and Commerce.
4. A Committee on Imports and Duties.
5. A Committee on Postal Arrangements.
6. A Committee on Foreign Relations, and on our relations with our sister slaveholding States.

These are all the Standing Committees that your Committee now conceive to be necessary for the action of this Convention; and for the Government of the Convention they recommend the adoption of the rules of the House of Representatives of the General Assembly of the State of Alabama, by which they were governed at their last session, so far as the same are applicable.

Mr. Smith, of Tuscaloosa, moved to amend by inserting:

7. A Committee on Public Expenditures. Adopted.

The following dispatch was laid before the Convention by the President:

Received at Montgomery, January 12th, 1861, by telegraph from Charleston, January 12th, To Hon. A. P. Calhoun.

A large steamship is off the bar, steaming up, supposed to be the Brooklyn. Expect a battle.

R. B. RHETT, Jr.

Mr. Phillips submitted the following resolution, which, on motion by Mr. Bragg, was ordered to be referred to the Committee on Finance and Commerce:

Resolved by the people of the State of Alabama, in Convention assembled, That the Collector at the port of Mobile, and the Receivers of Public Moneys at the several Land Offices in the State of Alabama, be, and they are hereby instructed, and required to hold subject to the order of the authorities of this State all public moneys which they may have on hand when they shall have received notice of the passage of this resolution, and that the President of this Convention communicate copies of this resolution to said officers forthwith.

Mr. Jewett introduced the following resolutions, which, on motion by Mr. Jemison, were referrvd to the Committee on Military Affairs:

Resolved, That the sum of twenty-five thousand dollars be appropriated out of the Treasury, and the same placed at the disposal of the Governor of the State, for the purpose of enlisting men for the protection of Forts Morgan and Gaines, in Mobile Bay, and the Arsenal at Mt. Vernon, Ala., and for the employment of artisans, mechanics and laborers, to take care of, and keep in proper condition, the ordnance, arms and such othor property of the State as is now in its possession in those places.

Resolved, 2d, That if there be not a sufficient sum of money in the Treasury to meet this appropriation, the Governor be authorized to borrow the same upon the credit of the State.

Mr. Morgan submitted tha following Ordidance, which was ordered to be referred to the Committee on the Constitution:

An Ordinance to alter the Constitution of the State of Alabama in respect to the oath of office.

We, the people of the State of Alabama, in Convention assembled, do declare and ordain, and it is hereby declared and *ordained*, That the first section of the sixth article of the Constitution of the State of Alabama be, and the same is stricken out, and in the place thereof the following be inserted:

SECTION 1. All persons who shall be, or who have been, elected or appointed to any office of profit or trust, before entering on the execution thereof, shall take (besides special oaths, not repugnant to this Constitution, prescribed by the General Assembly,) the following oath: I do solemnly swear (or affirm) that I will be faithful, and true allegiance bear to the State of Alabama so long as I may continue a citizen thereof, and that I will to the best of my ability discharge the duties of this office, and preserve, protect and defend the Constitution of this State. So help me God.

On motion by Mr. Yancey, the communications on the table from the Commissioner from South Carolina were taken up, and referred to the Committee of Thirteen.

On motiom by Mr. Jemison, the Convention adjourned until 4 o'clock this evening.

EVENING SECRET SESSION.

January 12th, 1861.

The President called the Convention to order at 4 o'clock, p. m.

Mr. Cochran, from the committee to wait on the Commissioners from Georgia and Mississippi, reported that Gen. Sanford would address the Convention now, but that Gov. Matthews, owing to indisposition, would be unable to address the Convention until Monday, at 12 o'clock.

On motion by Mr. Yancey, the doors were thrown open, and the Convention went into open session.

OPEN SESSION.

January 12th, 1861.

Mr. Cochran, from the committee to wait on the Commissioners from Georgia and Mississippi to this State, introduced to the Convention Gen. J. W. A. Sanford, Commissioner from the State of Georgia, who addressed the Convention upon the subject of his mission.

The President announced the following Standing Committees, in accordance with resolutions of the Convention:

COMMITTEE ON THE CONSTITUTION.

Messrs. Cochran, Jones, of Lauderdale, Webb, Beck, Whatley, Barnes, Davis, of Madison, Curtis and Crawford.

COMMITTEE ON MILITARY AFFAIRS.

Messrs. Clemens, Baily, Baker, of Barbour, Humphries, Potter, Coffey and Bulger.

COMMITTEE ON POSTAL ARRANGEMENTS.

Messrs. Morgan, Stone, Crook, Beard, Inzer, Lewis, Love and Johnson.

COMMITTEE ON FOREIGN RELATIONS.

Messrs. Dargan, Coleman, Gilchrist, Shortridge, Edwards, Leonard and Wilson.

COMMITTEE ON FINANCE AND COMMERCE.

Messrs. Jemison, Phillips, Winston, Rives, Silver, Herndon and Ketchum.

COMMITTEE ON IMPORTS AND DUTIES.

Messrs. Bragg, Clarke, of Marengo, Blue, Coman, Watkins, Ralls and Green.

COMMITTEE ON PUBLIC EXPENDITURES.

Messrs. Dowdell, Smith, of Tuscaloosa, Clarke, of Lawrence, Henderson, of Macon, Gay, Howard, Bolling, Jones, of Fayette, Timberlake, Posey, Taylor, Williamson and Sheffield.

COMMITTEE ON PRINTING.

Messrs. Smith, of Tuscaloosa, Whatley, Ketchum, Steele and Daniel.

COMMITTEE ON ENROLLMENT.

Messrs. Earnest, Jewett, Inzer, Beard and Clarke, of Lawrence.

COMMITTEE ON CREDENTIALS.

Messrs. Jemison, Dargan, Stone, Starke and Timberlake.

COMMITTEE ON PUBLIC LANDS.

Messrs. Jewett, Shortridge, Yelverton, Bolling, Lewis, Winston, Coleman and Rives.

COMMITTEE ON FEDERAL RELATIONS.

Messrs. Shortridge, Watts, Crook, Jones, of Lauderdale, Earnest, Baily, Davis, of Madison, Bragg and Owens.

On motion by Mr. Earnest, a Committee on the Judiciary and Internal Relations was appointed, as follows:

Messrs. Watts, Baker, of Russell Gibbons, Herndon, Morgan, Clarke, of Marengo, and Coleman.

Mr. Dargan presented an ordinance respecting the issuance of Bonds of the State of Alabama, to the amount of one million dollars, and asked its reference to the Committee on Finance and Commerce, which was done.

On motion by Mr. Bragg, 200 copies of the rules of the House of Representatives were ordered to be printed, and,

On motion by Mr. Watkins, one thousand copies of the Ordinance of Secession were ordered to be printed, together with the reports of the majority and minority of the Committee of Thirteen. And the Convention went into secret session.

After some time spent in open session, the doors were closed for secret session.

Mr. Watts placed before the Convention the following despatches:

Received at Montgomery, January 12th, 1861, by telegraph from Huntsville, January 12th, To Gov. A. B. Moore.

Leave for montgomery to-day. It is absolutely certain that Tennessee will go with the South.

L. P. WALKER.

By telegraph from Mobile, January 12th, to Gov. A. B. Moore.

We have received, by special messenger, the following communication from the proper authorities of New Orleans, and submit it at once to you.

THOS. J. BUTLER,
C. ROBINSON.

To Gen. T. J. Butler:

It is desirable that, if practicable, an understanding may be arrived at, which the flag officers and the other commanders of the home squadron, now for the most part concentrated at Vera Cruz, (the flag officer, and it is believed a majority of the officers of the fleet, are Southerners.) A distinguished gentleman, well and favorably known to these officers, will leave here for Vera Cruz on the 15th inst., and it is thought that should he be able to bear with him satisfactory assurances of support and protection to them by the seceding States, in the event of bringing their squadron into Southern ports and pronouncing for us, there is a probability that when they have to make the choice of their allegiance, they will stand by us. A communication on the subject will be sent to-night to the Governor of Mississippi, asking a conference in this city for say Thursday next, and we should very much like to have Alabama present also, to take part in its deliberations and resolves."

A communication from his Excellency the Governor in answer to resolutions of enquiry from the Convention, was received and read as follows, and ordered to lie on the table:

EXECUTIVE DEPARTMENT.
MONTGOMERY ALA., Jan. 10th. 1861.

Hon. Wm. M. Brooks, President State Convention.

Resolutions adopted by the Convention, requesting me to furnish that body with information in regard to the arms, &c., purchased for the State, by virtue of an Act of the Legislature, appropriating two hundred thousand dollars for that purpose, &c., were handed me this day by the Secretary of the Convention.

I submit the following statement in answer to the first resolution.

I have purchased under said Act, nine thousand three hundred and twenty-two arms of the following character and description, and at the prices stated.

300	Adams Revolvers at $16,	@	$4,800,00
1400	Colt's Revolvers at $18.	@	20,520,00
400	Colt's Cavalry Carbines at $30.	@	12,000,00
150	Smith's Cavalry Carbines, at $20.	@	3,750,00
3500	United States Muskets, at $2,50.	@	8,750,00
	Minnie Muskets, balls and moulds.		19,275,85
840	Mississippi Rifles, at $9.	@	7,560,00
80	Mississippi Rifles with Sword Bayonets and accoutrements.		2,024,00
1400	Sabres and belts at $8.50.	@	11,900,00
10	Six pounder Rifled brass Cannon.		
2	Long Columbiad guns.		
	(Quarter Master Genl. R. T. Thom has the contracts with him at the North.) Cannot therefore state the prices of Cannon and Columbiad guns.		

I have also purchased out of said funds:

1,500,000 Caps, at 95c. per thousand.	$1,425,00
1900 Powder Flasks, at $1. @	1,900,00
200 Kegs Powder, 100,000 lbs. lead.	2,082,00
500 " " 10,000	3,952,00
Arms and accoutrements for Military Institutes.	1,899,13
Items of Expenses in purchasing Arms.	1,500,50
	$103,277,98

The above statement may not be strictly accurate, resulting from the absence of the Quarter Master General, but may vary a little in regard to some of the items.

In answer to the second Resolution, I state that in the purchase of the above described arms, ammunition, &c., there has been paid out $91,470,98. Some of the items purchased have not arrived, and have not therefore been paid for. My estimate is, that $30,000 will cover the cost of the cannon, carriages and other arms contracted for and not arrived, most of which are daily expected.

In answer to the third Resolution, I state that there are about seventy-five companies furnished with arms. Exact number cannot be ascertained, as the Quarter Master General is absent at this time. Some of his papers, necessary to show this fact, are locked up, and his assistant has no access to them. I cannot state the exact number of arms, but about five thousand are still on hand, of the purchases made by me.

In answer to the fourth resolution, I state, (supposing it to refer to the arms under the control of the State, in the United States Arsenal at Mount Vernon,) that there are twenty thousand muskets, two thousand rifles, and one hundred and fifty thousand pounds of powder, as I am informed by Col. Ledbetter, the officer in command when the Arsenal was taken.

In answer to the fifth resolution, I state that there are one hundred organized Volunteer Companies, under the provisions of the act of the last General Assembly. The number of Volunteer Companies outside of this organization, is not certainly known to me, but suppose there are about twenty. All of these are armed and equipped as I am informed,—either by themselves, or by arms distributed from those received from the Federal Government. I cannot state the exact number of companies in the actual service of the State. Five hundred men have been ordered to Pènsacola, under a resolution of the Convention, but the number of companies into which they have been divided, has not yet been reported to me. Eight companies of the first Volunteer Regiment, were ordered into service on the — day of January 1861—Two were ordered to Fort Morgan, two to Fort Gaines, and four to Mount Vernon, and all remained in service two days, when four of them were discharged. Afterwards, on the — day of January 1861, two companies more were ordered to Fort Morgan, and are still in service. On the 8th inst, in view of the threatening aspect of affairs as to said Forts, one company from Montgomery, two from Selma, one from Greensboro' and one from Tuscaloosa, were ordered forthwith to report themselves to Col. Todd at Mobile, for service in the forts. The number of men in each company cannot be stated, until they report themselves to Col. Todd for service. They will probably average about fifty men each.

In answer to the sixth resolution, I state that there are about twenty pieces of ordnance owned by the State. Six or eight of these are twelve pounders, the balance are six pounders. These do not include the ten rifled cannon and two columbiad guns recently purchased.

To the Seventh resolution, I state that I am informed by Col. Ledbetter, that there are one hundred pieces of ordnance at Fort Morgan, consisting of thirty-two and twenty-four pounders. There is also in this Fort a supply of balls and powder. No arms or ordnance of any description at Fort Gaines, unless placed there by our troops, since the Fort was taken. I have already answered as to Mount Vernon. I have no information as to other public property in Forts or Arsenal.

Deducting the $91,470,98, already taken from the $2,000,000, appropriation, and the further sum of $30,000, for the payment of arms purchased and not received, wou d leave the sum of $78, 529,02 to the credit of the Military fund. From this sum is to be deducted the sum of $10,000, which the Convention appropriated by resolution, and the sum of $2,500, drawn for the support of troops at the Forts and Arsenal, previous to the meeting of the Convention.

After deducting all these amounts, there remains to the credit of the military fund, unexpended, the sum of 66,029,02.

Very Respectfully,

A. B. MOORE.

Mr. Shortridge introduced a resolution of inquiry of the Governor, which by leave he withdrew for modification.

On motion by Mr. Morgan the following resolution was adopted :

Resolved, that the Committee on Postal Affairs be authorized to require reports from Post Masters and Mail Contractors, for the information of the Committee, as to the Mail arrangements, and revenue in this State, and that the Committee be authorized to print circular letters for this purpose.

Mr. Yancey introduced "an ordinance to make Provisional Postal Arrangements in Alabama," which was read and referred to the Committee on Postal affairs.

Mr. Bragg offered a resolution, which, on motion by Messrs. Watts and Jemison, was amended and passed as follows :

Resolved, that in response to the message from the proper authorities at New Orleans just communicated to the Convention, in reference to U. S. Naval Officers at Vera Cruz, the Governor be authorized to take such course as he may deem best calculated to promote the interest of the State, and that the Governor authorize the Commissioner to assure the Commanding Officers of the Fleet, the support and protection of the State of Alabama.

Mr. Henderson of Macon offered the following resolution which was referred to the Committee on Foreign Relations :

Resolved, That the Committee on Foreign Relations be instructed to enquire into the expediency of sending a special Commissioner or Commissioners, to the Territories of New Mexico and Arizona, for the purpose of securing, if possible, the annexation of those Teritories to a Southern Confederacy as new States, at the earliest practical period.

A communication was received and read from David Campbell, Judge of Probate for Montgomery County, tendering the Court House for the use of the Convention.

Mr. Yancey introduced an "Ordinance concerning Citizenship," which was referred to to the Committee on the Judiciary and Internal Affairs.

Mr. Humphries introduced "an Ordinance to regulate the status of citizens and residents of the Sovereign State of Alabama." Referred to the Committee on the Judiciary and Internal affairs.

A communication from the Governor was received and read, with reference to affairs at Pensacola, as follows:

EXECUTIVE DEPARTMENT,
12th Jan. 1861.

Hon. Wm. M. Brooks, President State Convention.

Sir:

The following resolution passed by the Convention, has just been handed me by the Secretary of that body.

"*Resolved*, That the Governor be requested to communicate to the Convention any information he may have as to the condition of Military operations near Pensacola."

I regret that it becomes my duty to inform the Convention, that the Federal Troops have deserted the Navy Yard and Fort Barancas, and now occupy Fort Pickens, with about eighty men. The guns were spiked at Barancas and the Navy Yard, and Public Stores removed to Fort Pickens. This Fort commands the bay, Fort Barancas and the Navy Yard, and can only be taken by an effective force, and by bold and skilful movements.

Fort Pickens was garrisoned on Wednesday night. Col. Lomax left Montgomery on Wednesday evening at 7 o'clock, with two hundred and seventy-five men, and arrived at Pensacola last night at 10 o'clock. The three hundred troops ordered from Mobile to the same point, under the resolution of the Convention, were telegraphed when about to sail for Pensacola, by Major Chase in command at Pensacola, to remain in Mobile, until the receipt of further orders.

The Gov. of Mississippi has ordered troops at my suggestion, to Pensacola. They will halt at Mobile I presume, until ordered to sail for Pensacola.

This is all the information I can give at this time. I expect a messenger to-night with full information.

Very Respectfully,
A. B. MOORE.

Mr. Coleman offered the following:

Resolved, That the Committee of Military Affairs be instructed to enquire into the expediency of establishing manufactories of munitions of war, of every description, and, if found expedient, to report ordinances for the establishment thereof.

Mr. Shortridge moved to amend, by adding as follows:

Resolved, That the Millitary Committee inquire into the expediency of establishing at some central and convenient point, an Armory, for the use of the State, with instructions to report by ordinances or otherwise.

The amendment was adopted, and the resolution referred to the Committee on Military Affairs.

On motion of Mr. Watts, the Convention adjourned until to-morrow morning at 10 o'clock.

SUNDAY MORNING
January 13'd., 1861.

The Convention met at 10 o'clock, A. M. and was opened with prayer by Rev. T. J. Russell. The President in the Chair.

No business of pressing importance appearing,

Mr. Daniel moved to adjourn until to-morrow morning at 10 o'clock. Adopted, and the Convention adjourned.

SECRET SESSION.

MONTGOMERY, ALA.
Jan. 14th, 1861

The Convention met at 11 A. M. in the Senate Chamber and was called to order by the President.

Prayer by Rev. Mr. Ferguson.

Journals of Saturday and Sunday, were read and approved.

The President announced that there were communications before the Convention.

1. From the Treasurer of the State.
2. In relation to contested seats.
3. From certain Members of Congress, and the reports of Commissioners from this State to various States.

On motion of Mr. Yancey, the communications were passed over informally, for a report from the Committee on the Constitution, in relation to the oath of office.

Mr. Cochran made a report with an ordinance on that subject, but withdrew it by leave, on the suggestion that the General Assembly should be requested not to organize until to-morrow.

By leave, Mr. Yancey introduced an ordinance concerning the oath of Members of the General Assembly. Referred to the Committee on the Constitution. And on motion, the subject of the oath of office, was made the special order for to-morrow at 10 o'clock A. M.

By leave, Mr. Jemison moved that the Senate and House of Representatives be requested not to organize until to-morrow. Adopted, and Mr. Jemison appointed to apprise the President of the Senate, and the Speaker of the House.

On motion by Mr. Watts, the following resolution was adopted.

Resolved, That the Governor of the State be, and he is hereby requested, to communicate from time to time to this Convention, such information as he may have of importance, in his judgment, to the deliberations of this Convention, and he is requested to make such suggestions as to the public interests as he may think proper.

Mr. Bragg, by leave, read dispatches from Mobile, as follows.

Received, at Montgomery, Jan. 13th, 1861. By telegraph, from Mobile, Jan. 13th,—To John Bragg.

Have you passed the ordinance for the collection of duties, clearance of vessels, and disposing of United States property. I have resigned, and hold treasure for the State, waiting its instructions ; please answer.

T. SANFORD.

Received, at Montgomery, Jan. 14th, 1861. By telegraph, from Mobile, Jan. 14th,—To John Bragg.

See the Governor about appointing a Collector for this port. Mr. Sanford is the proper person, and the Governor ought to send him a commission at once. Ask the Governor to show you the dispatch I have just sent him. Two vessels have applied for clearances this morning, and Mr. Sanford is ignorant of what has been done by the Convention.

C. J. McRAE.

Received, at Montgomery, Jan. 14th, 1861. By telegraph, from Mobile, Jan. 14th,—To Gov. A. B. Moore.

Mr. Sanford has sent his resignation to the President, and as vessels will be daily applying for clearances, it will be necessary that he should have a commission from you or the Convention, otherwise the Commerce of the port will be stopped. We suppose that the Convention has addressed the South Carolina ordinances in reference to the collection of the revenues; if not, have it done at once, and send Mr. Sanford a Commission.

C. J. McRAE.

The President stated that he had received a communication that Gov. Matthews of Mississippi, was too unwell to address the Convention to-day.

By leave, Mr. Johnson presented "an ordinance to continue laws not repugnant to the ordinance of Secession." Referred to the Committee on the Judiciary and Internal Relations.

By leave, Mr. Bragg, from the Committee on Imposts and Duties, reported the following ordinance which was adopted:

An Ordinance in relation to the Collector of the Port of Mobile.

SEC. 1. *Be it ordained by the people of Alabama, in Convention assembled, and it is hereby ordained by authority of the same,* That Thadeus Sanford, late Collector of the Port of Mobile, and his subordinates in office under the Government of the United States, be re-appointed to their respective offices, by the State of Alabama, and that compensation of such officers, be the same as that they received from the Government of the United States.

SEC. 2. *Be it further ordained,* That the said T. Sanford, Collector, as aforsaid, be instructed to retain in his hands, subject to the order of this Convention, (and with a view to future settlement with the Government of the United States,) all such money as he may have had in his hands as Collector of the United States at the Port of Mobile, on the day of the passing of the ordinance withdrawing the State of Alabama from the Federal Union—and that the State of Alabama, is hereby pledged to indemnify and save harmless the said T. Sanford and his securities on his official bond to the government of the United States, for any loss or damage he or they may sustain, by complying with the requirements of this Ordinance.

SEC. 3. *Be it further ordained,* That his Excellency, the Governor, be authorized to issue a Commission to T. Sanford, as Collector of the Port of Mobile, and that he be required to enter into bond with security, to be approved by the Judge of the 6th Judicial Circuit of the State of Alabama, in the same sum as is set forth in his bond to the United States, for the faithful discharge of his duties as Collector of said Port,—such bond to be transmitted to the Governor to be filed among the Archives of the State, and that upon the execution of said bond he proceed to grant clearances to vessels, and collect duties, as he has heretofore done under the laws of the United States, until otherwise ordered by this Convention.

Mr. Baker, of Barbour, by leave, read a dispatch from Gov. Perry, of Florida, as follows:

Received at Montgomery, Jan. 14th, 1861. By telegraph, from Tallahassee, Jan. 14th, to Gov. A. B. Moore.

Telegraph received. Can you send five hundred stand of arms to Col Chase?

M. S. PERRY.

Mr. Bragg, by leave, offered the following resolution, which was adopted:

Resolved, That the Chairman of the Committee on Imposts and Duties, be authorized to transmit to Thadeus Sanford, the Collector of the Port of Mobile, a telegraphic dispatch, informing him of the passing of an ordinance requesting him to repair to this city immediately, to confer with the Committees on Commerce and Finance, and Imposts and Duties: in reference to matters appertaining to his office and the interests of the State.

On motion by Mr. Dowdell, the buisness before the Convention was suspended to allow the Committee on Military affairs to report.

Mr. Clemens, from that Committee, submitted the following report and ordinance, which were adopted:

The Committee on Millitary Affairs, to whom was referred resolutions in relation to the purchase of provisions for the troops of the State, have had the same under consideration, and instructed me to report back the resolutions with the accompanying ordinance as a substitute therefor, and recommend its passage.

An Ordinance to appoint an Agent to Purchase Provisions.

Be it ordained, by the People of Alabama, in Convention assembled, That the Governor of this State be, and he is hereby authorized to appoint an Agent, whose duty it shall be to make purchases of provisions and stores for the troops of the State, from time to time, as the same may be required. And the said Agent shall be at all times, subject to the control, order and direction of the Governor in the matters aforesaid, and may be dismissed from the public service at the pleasure of the Governor.

Be it further ordained, That the rate of compensation allowed to said Agent, shall be settled by agreement with the Governor, which agreement shall be reduced to writing, and filed in the Executive Department of the State.

Be it further ordained, That said Agent shall give bond and security, to be approved by the Governor, which said bond shall be increased in amount from time to time, as the Governor shall direct.

Be it further ordained, That in suits upon any bond, provided for in the foregoing section, no objection as to form shall be allowed, nor shall any plea be received except a plea to the merits.

Be it further ordained, That the sums of money necessary to carry into effect the foregoing ordinance may be borrowed by the Governor, and he is hereby authorized and empowered to execute bonds for the same in the name of the State. Provided, however, that no such bond shall have less than twelve months to run, nor carry a higher rate of interest than eight per centum per annum.

In connection therewith, Mr. Clemens offered the following resolution, which was adopted :

Resolved, That the injuction of secrecy, as to the "Ordinance for the purchase of provisions," shall not be removed in a less period of time than thirty days, but a copy of the same, together with a copy of this resolution shall be immediately furnished to the Governor.

By leave, Mr. Morgan, from the Committee on Postal Arrangements, made a report, accompanied by an "Ordinance, to make Provisional Postal Arrangements," with a resolution. Ordered to lie on the table, and 200 copies printed for the use of the Convention.

Mr. Dowdell by leave, offered the following resolution, which was referred to the Committee on Military Affairs:

Resolved, That the Governor of the State is hereby fully authorized to transfer to Pensacola, in the State of Florida, such number of arms and munitions of war, as he may think proper for the defence of the State of Alabama.

The President announced the Committee to ascertain the popular vote on secession, to be: Messrs.—Morgan, Davis of Madison, McClanahan, Wood, Timberlake.

The communications on the President's table were taken up:

1. Documents being depositions in the contested election case from Shelby County, were referred to the Committee on Credentials.

2. The communication from the State Treasurer, was ordered to lie on the table, and 200 copies to be printed.

3. The communication from Messrs. Pugh and Curry, former members to Congress from this State, was read and ordered to lie on the table.

A motion to print, was lost.

The reports from the Commissioners to the Slave-holding States were ordered to lie on the table.

Mr. Dowdell offered the following resolution, which was adopted:

Resolved, By the people of the State of Alabama, in Convention assembled: That the Commissioners heretofore appointed by the Governor of this State to the several Slave-holding states, be, and they are hereby directed, to present to the Conventions of said States, the preamble, ordinance and resolutions, adopted by the people of the State of Alabama, in Convention, on the 11th day of January, 1861, and to request their consideration of, and concurrence in the first resolution.

Mr. Jemison moved that the injunction of secrecy be removed with relation to the examination of the contested election case from Shelby County. Adopted.

On motion by Mr. Earnest, the following resolution was adopted, and the members proceeded to draw for their seats:

Resolved, That the names of the members of this Convention be placed in a box, and be drawn therefrom separately by the door-keeper, and each member, as his name shall be drawn, be permitted to select a seat for the session, and that all the seats be vacated in the meantime.

Mr. Bragg offered the following resolution, which, by his motion, was laid on the table with a view to calling it up to-morow morning:

Resolved, That the Committee on Foreign Relations, be instructed to report a supplemental ordinance, fixing an earlier day than the 4th Feb. next, for the assembling of the Convention, proposed to be held for forming a government for a new Southern Confederacy.

Mr. Watts, presented an ordinance, "to transfer to the General Assembly of Alabama, certain powers which have been withdrawn from the Congress of the United States." Referred to the Committee on the Judiciary.

Mr. Baker, of Barbour, offered the following resolution, which was adopted.

Resolved, That a certified copy of the following resolution, and of the Ordinance of Sesession, be forwarded by the Secretary, to the Commissioners appointed by the Governor to those States whose Conventions have not yet assembled. (The resolution referred to, is recorded above as offered by Mr. Dowdell.)

Mr. Daniel offered a resolution in relation to electing Commissioners to the Convention proposed by the State of South Carolina.

Mr. Bulger proposed a substitute therefor, and on motion by

Mr. Jemison, the resolution and substitute were referred to the Committee of 13.

Mr. Jewett offered the following resolution.

Resolved, That a special Committee, composed of five members, be appointed by the President, to take into consideration the propriety of declaring the public lands in the State of Alabama, the property of said State; and that they report by ordinance or otherwise.

And Mr. Shortridge, by consent, introduced in connection with it, "an Ordinance with regard to the Public Lands."

During the discussion, the Convention adjourned until to-morrow morning at 10 o'clock.

SECRET SESSION.

MONTGOMERY, ALA.,
Tuesday, January 15th, 1861.

The Convention met at 10 o'clock, a. m., and was called to order by the President.

Prayer by Rev. O. R. Blue.

On motion of Mr. Jemison, the reading of the journals was dispensed with for the purpose of allowing the Committee on the Constitution to report.

Mr. Cochran, from the Committee on the Constitution, reported the following Ordinance, which was adopted:

An Ordinance to change the Oath of Office in this State.

Be it declared and ordained, and it is hereby declared and ordained, by the people of the State of Alabama, in Convention assembled, That the first section and sixth article of the Constitution of the State of Alabama be amended by striking out of the fifth line of said section the words "Constitution of the Unted States and the," after the word "the," and before the word "Constitution," where they occur.

And be it further ordained, as aforesaid, That all officers in this State are hereby absolved from the oath to support the Constitution of the United States heretofore taken by them.

A communication was received from the Governor in relation to military operations, which was read and referred to the Committee on Military Affairs.

Also, a communication from the Governor in relation to moneys at the Mobile Custom House, which, on motion of Mr. Ketchum, was referred to the Committee on Imposts and Duties.

On motion by Mr. Whatley, a copy of the Ordinance on the Oath of Office was ordered to be sent immediately to each branch of the General Assembly.

The President read the following communication from the Secretary:

MONTGOMERY, January 15, 1861.

Hon. W. M. Brooks, President of the Convention:

SIR: I have received a notification that my company, the "Warrior Guards," Tuscaloosa county, starts to-day for Fort Morgan, by order of the Governor, and it is my duty as well as my inclination to join it forthwith. I therefore respectfully resign my place as Secretary in your honorable body.

Respectfully,
W. H. FOWLER.

Mr. Henderson, of Macon, offered the following resolution, which, on motion of Mr. Clemens, was laid, on the table:

Resolved, That in accepting the resignation of the Principal Secretary, Mr. W. H. Fowler, who has tendered the same for the purpose of obeying the call of our State to defend her from invasion, and while we entertain a high appreciation of his services as an officer of this body, we yield to the exigency that deprives us of his able services, and our best wishes accompany him to the post of danger to which he is called.

Mr. Phillips offered "An Ordinance to abolish certain duties," which was referred to the Committee on Imposts and Duties.

Mr. Shortridge introduced the following resolution, which was ruled out of order:

Resolved, That His Excellency the Governor be requested to communicate to the Convention all the information which may be in his possession upon the following subjects, to wit: 1st. How many men within this State are liable to perform, under existing laws, military service?

2d. How many men are actually enrolled on militia duty?

3d. How many companies of artillery and how many of cavalry have been organized under the provisions of the Military Bill of the last Legislature, or exist independently of the provisions of said Military Bill?

The reading of the journal of the preceding day, which had been postponed, was then attended to.

Mr. Posey, by leave, introduced "An Ordinance to prohibit the African Slave Trade," and asked to have it made the special order of the day for Monday next.

On motion by Mr. Whatley, it was referred to the Committee on Foreign Relations.

The unfinished business of the preceding day—being the resolution of Mr. Jewett and the ordinance of Mr. Shortridge, both in relation to the public land—was taken up, and on motion by Mr. Watkins, they were referred to the Committee on the Judiciary and Internal Improvements.

The President gave notice that hereafter he should call for reports from the committees in the regular order of their appointment.

The call was made, and no reports were offered.

Mr. Henderson, of Macon, introduced "An Ordinance providing for a Council of State," which was referred to the Committee on the Constitution.

Mr. Clemens offered "An Ordinance for the miliiary defence of the State," which, on his motion, was referred to the Committee on Military Affairs.

The President then read the following letter from Mr. owler:

MONTGOMERY, ALA., January 15th, 1861.

on. W M Brooks, President of the Convention:

SIR: Learning through yourself that my resignation as ecretary, for the purpose named, was not accepted by the onvention, I beg to say that, fully appreciating the kindess of those who desire me to remain in this position, yet feel in honor bound to join my company, and, with due espect to the Convention, I must do so.

Very Respectfully,

W. H. FOWLER.

On motion, the resolution offered by Mr. Henderson, of acon, was taken up and adopted.

Mr. Whatley moved to go into the election of a Secretary, hich was adopted, and the name of Mr. A. G. Horn, of obile, being put in nomination, he was elected by acclanation, there being no opposition.

Mr. Yancey made a report from the Committee of Thireen upon the formation of a Provisional and Permanent overnment between the seceding States.

And, on his motion, the report and ordinance were laid n the table, and two hundred copies were ordered to be rinted for the use of the Convention.

Mr. Bulger offered the following resolution:

Resolved, That the Governor of the State be requested o furnish to this Convention a copy of all military orders ssued by him or under his authority, since the 30th day of December last, together with such explanations as he may eem proper.

Mr. Blue moved to amend Mr. Bulger's resolution as folows:

Resolved, That the Governor of the State of Alabama e, and he is hereby, requested to inform this Convention what number of troops, if any, have been called into service, or ordered to points of danger, by any orders other other than his own; and, if so, by whose orders and under what authority.

Mr. Morgan moved to refer both to the Committe on Military Affairs.

The President here announced that the hour for the consideration of the report of the Committee on Postal Affairs, which had been made the special order of the day for 12 o'clock, had arrived.

On motion by Mr. Jemison, the special order was suspended in order to finish the business before the Convention. Mr. Jemison moved to lay both resolution and amendment on the table, which was carried.

The report of the Committee on Postal Arrangements was taken up.

By leave Mr. Morgan made a slight change in the wording of the report.

On motion by Mr. Bragg, the report and accompanying ordinance were adopted, as follows:

The Committee on Postal Arrangements have instructed me to report:

That the system of postal arrangements established by the Government of the United States, and extended to the several States and to Foreign Governments, cannot be at once disturbed by this State, without producing much inconvenience to the people, and injury to our citizens, and those of other States holding contracts relating to postal affiairs with said Government.

The time that will probably intervene before a Southern Confederacy is established, would not be sufficient to enable this State to completely organize the proper mail department within its borders. and to secure, by treaties or conventions, a sure and regular mail communication with and through the neighboring States.

A permission, to carry out existing mail arrangements, extending to the citizens of this and other States who hold contracts for mail transportation to this State and within its borders, or from this to other States and countries, and enuring also to the convenience and advantage of the United States Government, may be continued to them without admitting to any extent the authority or jurisdiction of said Government in any respect.

The faith and credit of this State should be pledged to persons holding contracts or appointments for mail service within the State, that they shall be secured against loss after they have faithfully performed such service, from the 11th January, 1861, to such time as the State shall dispense with such service. But the mutual advantages of mail facilities to this State and to our sister Southern States, and to the Government of the United States, are such as to impress your committee with the belief that the Government of the United States will continue the postal system, under the contracts, regulations and arrangements of force on the 11th Januaay, 1861, at least until such contracts expire. Therefore, the revenues from the post offices within this State should not be demanded or received by the State until such time as it becomes manifest that the Government of the United States will not, in good faith, apply such revenues to the purpose of keeping up the existing mail arrangements.

In the event that any such indications of bad faith should appear, it will be competent for the Legislature of this State to provide for the emergency.

The whole subject of postal affairs will devolve upon the proposed Southern Confederacy, should Alabama enter the same on the basis proposed in the resolutions accompanying the Ordinance of Secession, adopted on the 11th day of January, 1861; and, therefore, all action taken on that subject by this State ought to be provisional.

We therefore unanimously recommend the adoption of the following Ordinance, with the accompanying resolntion:

An Ordinance to make Provisional Postal Arrangements in Alabama.

Be it ordained by the people of Alabama, in Convention assembled, That the postal contracts, arrangements and regulations in force on the 11th day of January, A. D. eighteen hundred and sixty-one, are permitted to be continued, and the persons charged with the duties thereof are permitted to continue to discharge such duties until a postal treaty or treaties shall be concluded, or until otherwise ordered or provided by the authority of this State.

Resolved, That two thousand five hundred copies of the "Ordinance to make Provisional Postal arrangements in Alabama," be printed, together with the report of the Committee on Postal Arrangements, and that a copy of the Ordinance be sent to the Governor of each State of the former Union, and to the Postmaster General.

Mr. Humphries offered the following resolution, which on motion was referred to the Committee on the Judiciary and Internal Relations.

Resolved, That the Bounty Land Warrants, held by widows and orphans, residing in this State on the 11th day of January 1861, shall have the right to locate such warrants on any unoccupied land in this State.

Mr. Morgan offered the following resolution, which was adopted:

Resolved, That the Secretary of State be directed to carry out the resolution accompanying the Ordinance to make Provisional Postal arrangements, as soon as practicable.

Mr. Shortridge called up the resolution previously introduced by him, calling on the Governor for certain information, and on motion it was adopted.

Mr. Jemison offered the following resolution:

Resolved, That when this Convention adjourns on each day hereafter, it shall adjourn to meet at 10 o'clock A. M., and shall adjourn without motion, at 2 o'clock P.M., unless otherwise ordered by two thirds of the Convention.

Mr. Watts moved to strike out so much as referred to time of adjournment. Lost.

And the resolution was adopted.

Mr. Johnson offered a resolution to reimburse the Door-Keeper, in the sum of $25, for money paid for postage-stamps, which was referred to the Committee on Public Expenditures.

The Convention then adjourned to 10 o'clock to-morrow morning.

SECRET SESSION.

MONTGOMERY, ALA,
January 16th, 1861.

The Convention was called to order at the appointed hour by the President.

Prayer by Rev. Mr. Potter.

Journals read and approved.

Mr. Cochran made statement in relation to Gov. Matthews' illness &c.; would address Convention at 12 o'clock to-day, which was agreed to.

Mr. Clemens, from Committee on Military Affairs, introduced an Ordinance to amend and declare void all military commissions in the militia of Alabama.

Mr. Bulger moved to re-commit to Millitary. Lost.

Mr. Ketchum offered to amend the ordinance, so as to except "field and company officers of volunteer troops already organized." The amendment was accepted, and, On motion by Mr. Bragg, it was laid on the table and 200 copies ordered to be printed for the use of the Convention.

Mr. Watts, from Committe on Judiciary and Internal Affairs, was proceeding to make a report on the report on the ordinance in relation to Citizenship &c., when a message was announced from the Governor, and the following ing letter and dispatch from Quarter-Master Thom was read:

(The letter and dispatch were in relation to the purchase of arms, and informing the Governor of the fact that it had been declared treason in New York, for any one to sell arms to any of the seceeding States.)

Mr. Yancey moved their reference, to Committee on Military Affairs with instructions to report as soon as practicable. Carried,

Mr. Watts resumed the reading of report and amendments, when it was announced that a Committee from the House of Representatives was at the door. They were admitted, and communicated a resolution of the House, ~~offering~~ the Convention the use of their hall at 12, M. for the address of Gov. Matthews.

The invitation was accepted, and on motion of Mr. Davis, of Madison, a Committee of three were appointed to notify the House of its acceptance, and to return thanks. The President appointed Messrs. Davis, of Madison, Webb and Clark of Marengo.

Mr. Watts resumed and finished reading his report, when a message from the Governor was announced.

The message communicated resolutions adopted by certain Southern Senators, and a letter from Senator Clay, which were read; and on motion by Mr. Morgan, they were referred to the Committee of Foreign Relations.

Consideration of Mr. Watts' report of amended ordinance resumed.

Mr. Jemison moved to re-commit with instructions. Withdrawn.

Mr. Williamson renewed motion to re-commit. Lost.

And on motion of Mr. Baker, of Russell, it was laid on the table and 200 copies ordered to be printed for use of Convention.

Mr. Watts reported an ordinance, "to regulate the status of citizens and residents of the Sovereign State of Alabama," which on motion by Mr. Watkins was laid on the table.

Mr. Watts reported an ordinance, "in relation to the public lands," which was informally passed over.

And, on motion by Mr, Yancey, the Convention proceeded in a body to the Hall, to hear an address from Ex-Gov. Matthews.

The Convention then went into open session.

OPEN SESSION.

MONTGOMERY, ALA.,
January 16th, 1861.

The Convention having assembled in the Hall of the House of Representatives,

On motion, a committee of three, consisting of Messrs. Cochran, Herndon and Bailey, were appointed to wait on Ex-Gov. Matthews, and inform him that the Convention was ready to hear him.

On motion, the members of the two branches of the General Assembly were invited to seats within the bar of the Convention, and the President of the Senate, and the Speaker of the House, were invited to seats on the stand by the President of the Convention.

The Committee having returned with Ex-Gov. Matthews, he was introduced to the Convention, by the President, and who addressed the Convention in an elaborate and eloquent speech, in relation to the object of his mission.

When Governor Matthews had spoken about three fourths of an hour, upon motion of Mr. Whatley, the Convention repaired in a body to their own hall, to hear what further he had to communicate in secret session.

SECRET SESSION.

The members of the Convention having resumed their seats in their own Hall, Ex-Governor Matthews concluded his remarks, referring to the policy to be pursued in relation to certain territories, and the defence of our coast.

On motion by Mr. Yancey, the special order of the day, being the report of the Committee of Thirteen upon the formation of a Provisional and Permanent Government between the Seceding States, was taken up.

Mr. Jemison moved to change the word "*for*" to "*from*," where it occurs in the first line of the third resolution.

Withdrawn.

Mr. Smith, of Tuscaloosa, renewed the motion, and it was adopted.

Mr. Earnest offered to amend the 3d resolution of the report, with a proviso, as follows:

Provided, that no member of this Convention, shall be elligible to election or a seat in said Convention.

The proposition of Mr. Earnest, by leave, was withdrawn.

Mr. Bragg moved to amend the 3d resolution of the report, by inserting in the first line after the word "elect," the words "by ballot, and without nomination."

The hour of adjournment having arrived,

On motion by Mr. Yancey, the rule was suspended until the question before the Convention should be disposed of.

Pending the consideration of Mr. Bragg's proposition to amend,

Mr. Yancey announced that he desired to make a proposition to the members of the Convention after it had adjourned, which he thought would obviate the the objections of the mover of the last amemendment.

On motion, the Convention then adjourned.

SECRET SESSION.

Montgomery, Ala.,
January 17th, 1861.

The Convention met pursuant to adjournment, and was called to order by the President.

The Convention was opened with prayer by the Rev. Mr. Henderson.

The President called the attention of the Convention to a communication from the Governor, covering documents from the Mississippi Convention, presented by her Commissioner to the Government of the State of Alabama.

Mr. Cochran moved their reference to the Committee on Foreign Relations, which was adopted.

CALL OF COMMITTEES.

The regular call of Committees was resumed from yesterday.

Mr. Bragg, from the Committee on Imposts and Duties, made the following report with accompanying resolutions:

The Committee on Imposts and Duties, to whom was referred the communication of his Excellency the Governor, transmitting to the Convention a telegraphic dispatch from Thadeus Sanford, the Collector of the Port at Mobile, to the effect that a draft, dated January 7th, 1861, for the sum of Twenty-six Thousand Dollars drawn on his office by the Treasury Department of the Government of the United States, and asking to be instructed whether he should pay the same have had the same under consideration and ask leave to report.

That it appears from the dispatch that the said draft was drawn on the 7th of January inst., a date anterior to the passing of the ordinance withdrawing Alabama from the Federal Union. The draft is in favor of the United States Navy Agent at Pensacola, and the object of it is stated to be, to pay certain merchants and mechanics in Pensacola for goods furnished and labor performed for the United States, and certain other merchants in the city of Mobile for supplies furnished by them to the same Government.

In annulling the office of Collector at the Port of Mobile as a United States office. and reclaiming that port as embraced within the jurisdiction of, and appertaining to the State of Alabama, in her sovereign capacity, this Convention in its Ordinance passed to effect that object, imposed upon the Collector thereby appointed as an officer of the State, the duty of retaining in his hands, until the further order of the Convention, all such money as might be in his possession at the date of the passing of the said ordinance.

Under the circumstances by which the Convention was surrounded, it was deemed advisable to pursue such a course, not with a view of laying violent hands upon funds in the possession of an officer of the United States, but simply as a measure of self-protection, and with the purpose of facilitating a fair settlement of the various complicated questions that must necessarily arise in the future between the Government from which she had withdrawn, and the State of Alabama.

From the date of this draft, it will be seen, that it was drawn before the passing of the Ordinance requiring the Collector to retain such funds in his hands, as well as before the Ordinance of Secession. It will also be seen, that it was drawn for certain purposes involving the interests of third parties, who seem to be interposed in such manner as to take from the case the simple features of a question between the Government of the United States and the State of Alabama. Those parties performed services for, and furnished goods aud supplies for the Government of the United States, previous to the withdrawal of Alabama from the Union. There was an obligation imposed on that Government of which Alabama was then a constituent part, to pay for this labor and these supplies; and it seems to your Committee, that every principle of good faith and an honest desire to preserve inviolate the sanctity of contracts, require that these parties should be paid their just dues. The best way to secure justice to ourselves is to do justice to others. But it may be said, why not retain this money and remit these parties to the Government of the United States to be paid out of other funds in the Treasury of that Government? The answer is, that this is the fund out of which such obligations as arise at the points indicated, (Pensacola and Mobile,) are accustomed to be paid, and to which the parties no doubt looked, when the supplies were furnished and the labor performed. To send these parties back now to the Government of the United States for payment, when the monetary affairs of the country are in such a condition that men of the amplest means and largest credit are scarcely able to sustain themselves; to require them to rely on the crippled Treasury of a mere fragmentary Government for payment, when the obligation was incurred when that Government was a whole, and when such a course would amount to an indefinite postponement of payment, seems to your Committee to involve the grossest injustice to these parties, as well as a departure from the manifest policy that should govern the action of this Convention in its relations with the Government of the United States as well as our own people.

The Committee have accordingly instructed me to report to the Convention the following resolution, and ask its adoption.

Resolved, That in response to the dispatch received from T. Sanford, Collector at the Port of Mobile, in reference to a United States Treasury draft bearing date the 7th

January, 1861, drawn on his office for the sum of twenty-six thousand dollars, the Governor be authorized to inform him that it is the sense of this Convention that he pay the same.

JOHN BRAGG, Chairman.

On motion, the report was concurred in and resolution adopted.

A message from the Governor was received. The message contained matters in reference to clearances from Mobile Custom House.

Mr. Jemison moved to refer it to the Committee on Imposts and Duties. Adopted.

The message from the Governor also communicated to the Convention the report of the Hon. L. P. Walker, late Commissioner to the State of Tennessee. Report laid on the table.

Mr. Dowdell, from the Committee on Public Expenditures, made the following report:

The Committee on Public Expenditures, to whom was referred the resolution introduced by Mr. Johnson, to authorize the payment of certain expenses incurred by the Door-keeper in the purchase of postage stamps for the use of the Convention, having had the same under consideration, beg leave to report it back to the Convention and recommend its adoption, with the following additional resolution:

Resolved, That it is inexpedient to authorize further expenditures for postage on account of members of the Convention. J. F. DOWDELL, Chairman.

Report concurred in, and resolution adopted.

Mr. Posey moved to suspend the call of Committees, to make a motion. Adopted.

Mr. Posey then moved to remove the injunction of secrecy, so far as it applied to the report and resolution of Mr. Bragg, Chairman of Committee on Imposts and Duties, just now concurred in and adopted. Mr. Posey's resolution was adopted, and the injunction of secrecy removed.

Mr. Morgan moved to suspend the call of Committees, to introduce a resolution. Adopted.

Mr. Morgan then introduced the following:

Resolved, That a copy of the report and ordinance to make provisional postal arrangements be certified to the Governor, and that he be requested to make proclamation of the same. Adopted.

The call of committees was resumed.

Mr. Cochran, from the Committee on the Constitution, reported "An Ordinance to appoint a Council of State."

Mr. Yancey moved to lay on the table, and print two hundred copies for the use of the Convention, which was accepted.

Mr. Watts, from the Committee on the Judiciary and Internal Affairs, made the following report:

The Committee on the Judiciary and Internal Affairs, to whom was referred "an Ordinance to continue laws not repugnant to the Constitution," have had the same under advisement, and have instructed me to report a substitute therefor, and recommend its passage.

Mr. Baker, of Russell, moved to lay the substitute on the table, and print two hundred copies. Adopted.

Mr. Humphries suggested the presence in the Capitol of Gen. T. J. Butler, and moved that he be admitted to a seat on the floor. Lost.

Mr. Watts called up the report of the Committee on the Judiciary and Internal Affairs upon "an Ordinance in relation to the Public Lands," which had been heretofore informally passed over, which is as follows:

The Committee on the Judiciary and Internal Affairs, to whom was referred "an Ordinance in relation to the Public Lands," have instructed me to report back said ordinance, with the recommendation that it be referred to a special committee of seven persons, selected with a view to their knowledge of such matters. That with the accumulating business of this Committee, they have no time to get the information and make the investigations requisite to a proper understanding of the complicated matters invoked in the ordinance. And this committee ask to be discharged from the further consideration of the subject.—The resolution of inquiry referred to this committee, touching the same matters, they have instructed to report back, and have instructed me to report the accompanying resolution covering the matters in the said ordinance and resolution referred to:

Resolved, That a committee composed of seven delegates be appointed by the President of this Convention, to take into consideration all questions touching the Public Lands within the State of Alabama.

Respectfully submitted.

T. H. WATTS, Chairman.

Report concurred in and resolution adopted.

Mr. Morgan, by leave, offered the following resolution:

Resolved, That the Committee on the Constitution be instructed to prepare, and report for the action of this Convention, such amendments to the Constitution of this State as, in the opinion of the Committee, should be adopted.

Mr. Cochran offered to amend Mr. Morgan's resolution so as to add three members to the Committee. Amendment adopted, and resolution, so amended, adopted.

Mr. Foster offered a resolution proposing two heads of departments to the Executive Department of the Government of the State of Alabama.

Mr. Crook moved a reference to the Committee on the Constitution. Adopted.

Mr. Jemison offered the following resolution:

Resolved, That the future deliberations and action of this Convention shall be restricted and confined to such changes and modifications of the organic or fundamental law as have become necessary by the present political status of our State.

Mr. Cochran moved to lay on the table. By leave, withdrawn.

Mr. Watts moved to amend Mr. Jemison's resolution by inserting after the first word, "resolved," the words, "it is the sense of this Convention."

Mr. Jemison accepted the amendment.

Mr. Cochran moved to lay on the table.

Mr. Cochran obtained leave and withdrew his motion to lay on the table, at the request of Mr. Jemison.

Mr. Jemison renewed Mr. Cochran's motion to lay on the table.

The question being upon laying on the table, the ayes and nays were called for, which resulted, ayes, 30; nays, 68; so the motion to lay on the table was lost.

Those who voted in the affirmative, are—Messrs. President, Baily, Baker, of Barbour, Baker, of Russell, Barnes, Blue, Bragg, Clarke, of Marengo, Clemens, Cochran, Coleman, Daniel, Davis, of Covington, Dowdell, Gibbons, Henderson, of Macon, Henderson, of Pike, Howard, Jewett, Ketchum, McPherson, Morgan, Phillips, Ryan, Shortridge, Smith of Henry, Starke, Stone, Wood, Yancey.—30.

Those who voted in the negative, are—Messrs. Allen, Barclay, Beck, Bolling, Brasher, Bulger, Catterlin, Clarke, of Lawrence, Coffey, Coman, Crawford, Creech, Crook, Crumpler Curtis, Dargan, Davis, of Madison, Davis, of Pickens, Earnest, Edwards, Ford, Forrester, Foster, Franklin, Gay, Gilchrist Green, Guttery, Hawkins, Herndon, Hood, Humphries, Inzer, Jemison, Jones, of Fayette, Jones, of Lauderdale, Johnson, Kimball, Leonard, Lewis, Love, McClanahan, McClellan, McPherson, McKinnie, Owens, Posey, Potter, Ralls, Rives, Sanford, Sheets, Sheffield, Silver, Slaughter, Smith, of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Watkins, Watts, Webb, Whatley, Whitlock, Williamson, Wilson, Winston.—68.

Mr. Clemens moved to postpone till Monday next.

Mr. Watkins moved to add the words, "unless in case of actual necessity."

Ruled by the Chair not in order.

Mr. Dargan moved to lay on the table.

Ruled not in order.

Mr. Phillips moved to amend so as to postpone consideration of the subject until the 1st day of February, instead of next Monday. Withdrawn by leave.

The question being taken upon Mr. Clemens' motion to postpone until next Monday, it was carried.

Mr. Yancey said the hour had arrived, and moved to take up the special order.

Mr. Whatley moved to suspend consideration of the special order, for the particular purpose of offering a resolution. The motion to suspend was adopted, and

Mr. Ketchum offered the following resolution:

Resolved, That the Ordinance of Secession, adopted on the 11th inst., be ordered to be engrossed on parchment, sealed with the Great Seal of the State, and, at 12 o'clock, m., on Satuaday next, the 19th day of January, in the Hall of the House of Representatives, publicly, and in the presence of all the public authorities of Alabama, signed by those members of the Convention who may desire to do so at that time.

A communication from the Governor was announced, in compliance with resolutions of inquiry of, "How many men within this State are liable to perform, under existing laws, military service? How many are actually enrolled? How many companies of artillery, and how many companies of cavalry, have been organized under the Military Bill, or exist independently of that Bill?"

Mr. Yancey moved to lay the message temporarily on the table. Adopted.

The consideration of Mr. Ketchum's motion was resumed.

Mr. Phillips moved to amend by adding the words, "and that afterwards it lie on the table to be signed by such others as may choose to do so," which was accepted.

Mr. Morgan moved to amend by striking out all after the word "resolved," and inserting in lieu thereof the following as a substitute:

Resolved, That the Ordinance of Secession, adopted on the 11th of January, 1861, be engrossed on parchment and laid upon the table to be signed by such members of the Convention as may desire to do so before the final adjournment of this body;" and the substitute was adopted.

Mr. Beck moved to lay Mr. Morgan's substitute on the table. Lost.

The question was then submitted upon the adoption of Mr. Morgan's substitute, and it was carried.

At the suggestion of Mr. Yancey, the President now announced the special order of the report of the Committee of Thirteen, on the formation of a Provisional and Permanent Government between the seceding States.

The question was on Mr. Bragg's motion pending, to insert after the word "elect," in the first line of the third resolution, as per printed reports, the following words: "by ballot, and without nomination."

Mr. Clarke, of Marengo, called for a division of the question upon the proposed amendment, so that the sense of the Convention might be taken separately on the two clauses, "by ballot," and "without nomination," and the words "by ballot" were adopted as an amendment.

Mr. Bragg withdrew the latter clause, "and without nomination."

Mr. Bragg moved to amend by inserting in the second line of the first resolution, after the word "Convention," the words, "on the fourth day of February, at the city of Montgomery. Amendment adopted.

Mr. Jemison moved to strike out all after the words "United States," where it occurs in the third line of the first resolution: "and also to prepare and consider upon a plan of permanent government for the seceding States."

The hour of adjournment having arrived, Mr. Jewett moved a suspension of the rule of adjournment, to enable him to proceed with his remarks. Lost.

Mr. Morgan moved to adjourn to meet again at 7½ o'clock, p. m.

Thursday night, January 17th, 1861.

The Convention was called to order at the appointed hour by the President.

Mr. Potter offered the following as a substitute for the amendment of Mr. Jemison—to take the place of the first resolution:

Resolved, That this Convention cordially approve of the suggestions of the Convention of the people of South Carolina to meet them in Convention, to frame a, Provisional Government, upon the principles of the Constitution of the United States, and also to prepare a plan for the creation and establishment of a Permanent Government for the seceding States, upon the same principles; which plan shall be submitted to the Conventions of such States, for adoption or rejection.

Mr. Jemison arose to a point of order, that the substitute was not in order. The Chair overruled the point.

Mr. Potter asked leave to withdraw his substitute. Not granted.

The question being on substituting the amendment of Mr. Potter for the amendment of Mr. Jemison, to take the place of the first resolution, it was carried without a dissenting voice.

Mr Yancey moved to amend by inserting in the substitute the words, "on the fourth day of March, 1861, in the city of Montgomery," after the word "Convention," in the fourth line. Adopted.

Mr. Jemison offered the following amendment to the substitute:

Be it further resolved, That the plan for a Permanent Government, proposed by the Convention of seceding States, shall be submitted, for ratification or rejection, to the Legislatures of the several States, or to Conventions hereafter to be elected by the people of the several States, as may be proposed by the Convention of seceding States. By leave, withdrawn.

Mr. Dargan moved the following amendment to be added to the substitute, which now stands for the first resolution:

"And no Provisional Government that may be formed shall be inconsistent with the Constitution of the State of Alabama." Lost.

Mr. Johnson moved, by way of amendment, the following:

Resolved, That we approve of the suggestion that each State should send to said Convention as many deputies as it now has, or has lately had, Senators and Representatives in the Congress of the United States, and that votes taken in said Convention should be *per capita*.

Mr. Yancey moved to lay on the table.

Mr. Johnson obtained leave and withdrew his proposed amendment, at the suggestion of friends.

Mr. Bulger offered the following, to be added to the last resolution by way of amendment:

"The members of which shall be elected by the people."

It was moved to lay it on the table. The ayes and nays were called.

Those who voted in the affirmative, are—Messrs. President, Baily, Baker, of Barbour, Barnes, Beck, Blue, Bolling, Catterlin, Clarke, of Marengo, Cochran, Coleman, Creech, Crook, Curtis, Daniel, Dargan, Davis, of Covington, Davis, of Pickens, Dowdell, Foster, Gibbons, Gilchrist, Hawkins, Henderson, of Macon, Henderson, of Pike, Herndon, Howard, Humphries, Jewett, Ketchum, Love, McClanahan, McPherson, McKinnie, Morgan, Owens, Rives, Ryan, Shortridge, Silver, Smith, of Henry, Starke, Stone, Watts, Webb, Whatley, Williamson, Winston, Yancey, Yelverton.—49.

Those who voted in the negative, are—Messrs. Allen, Barclay, Brasher, Bulger, Clarke, of Lawrence, Coman, Crawford, Crumpler, Davis, of Madison, Edwards, Ford, Franklin, Guttery, Hood, Inzer, Jemison, Jones, of Fayette, Jones, of Lauderdale, Johnson, Kimball, Leonard, Lewis, McClellan, Posey, Potter, Ralls, Sanford, Sheets, Sheffield, Slaughter, Smith, of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Watkins, Whitlock, Wilson, Wood.—39.

Mr. Jemison moved to adjourn.

The ayes and nays were called for.

Those who voted in the affirmative, are—Messrs. Allen, Barclay, Brasher, Bulger, Clarke, of Lawrence, Coman, Crumpler, Davis, of Madison, Edwards, Ford, Foster, Franklin, Guttery, Hood, Inzer, Jemison, Jones, of Fayette, Jones, of Lauderdale, Johnson, Kimball, Leonard, Lewis, McClellan, Posey, Potter, Sanford, Sheets, Sheffield, Slaughter, Smith, of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Whitlock, Wilson, Winston.—37.

Those who voted in the negative, are—Messrs. President, Baily, Baker, of Barbour, Barnes, Beck, Blue, Bolling, Catterlin, Clarke, of Marengo, Cochran, Coleman, Creech, Crook, Curtis, Daniel, Dargan, Davis, of Covington, Dowdell, Gibbons, Gilchrist, Hawkins, Henderson, of Macon, Henderson, of Pike, Herndon, Howard, Humphries, Jewett, Ketchum, Love, McClanahan, McPherson, McKinnie, Morgan, Owens, Ralls, Rives, Ryan, Shortridge, Silver, Smith, of Henry, Starke, Stone, Watkins, Watts, Webb, Whatley, Williamson, Wood, Yancey, Yelverton.—50.

The question being upon the adoption of the report and amendment,

Mr. Watts offered the following amendment to be added to the last resolution:

"And that the delegates shall be elected separately, and each delegate shall receive a majority of the members

Mr. Bulger moved to adjourn, which was withdrawn.

voting.

And the report and resolutions were adopted as follows:

REPORT AND RESOLUTIONS,

FROM THE COMMITTEE OF THIRTEEN, UPON THE FORMATION OF A PROVISIONAL AND PERMANENT GOVERNMENT BETWEEN THE SECEDING STATES.

The Committee of Thirteen, beg leave to report that they have had under consideration the "Report and resolutions from the Committee on relations with the Slaveholding States," providing for the formation of a Provisional and Permanent Government by the seceding States, adopted by the people of the State of South Carolina, in Convention, on the 31st December, 1860, and submitted to this body by the Hon. A. P. Calhoun, Commissioner from South Carolina—which report and resolutions were referred to this Committee.

They have also had under consideration the resolutions upon the same subject, referred to them, which were submitted by the delegates from Barbour and from Tallapoosa. All of these resolutions contemplate the purpose of forming confederate relations with such of our sister States of the South as may desire to do so. The only disagreement between them is, as to the details in effecting that object. The Committee unanimously concur in the purpose and plan proposed by the Convention of the people of South Carolina. In the opinion of the Committee, there has never been any hostility felt by any portion of the people of Alabama against the Constitution of the United States of America. The wide-spread dissatisfaction of the people of this State, which has finally induced them to dissolve the Union styled the United States of America, has been with the conduct of the people and legislatures of the Northern States setting at naught one of the plainest provisions of the Federal compact, and with other dangerous misinterpretation of that instrument, leading them to believe that the Northern people design, by their numerical majority, acting through the forms of government, ultimately to destroy many of our most valuable rights.

With the people of South Carolina, we believe that the Federal Constitution "presents a complete scheme of confederation, capable of being speedily put into operation;" that its provisions and true import are familiar to the people of the South, "many of whom are believed to cherish a degree of veneration for it, and that all "would feel safe under it, when in their own hands for interpretation and administration, especially as the portions that have been, by perversion, made potent for mischief and oppression in the hands of adverse and inimical interests, have received a settled construction by the South; that a speedy confederation by the South is desirable in the highest degree, which it is suppposed must be temporary, at first, (if accomplished as soon as it should be,) and no better basis than the Constitution of the United States is likely to be suggested or adopted." This Convention, in the resolutions accompanying the Ordinance dissolving the Union, has already responded to the invitation of the people of South Carolina to meet them in Convention for the purposes indicated in their resolutions, and have named Montgomery, in this State, and the 4th day of February, as the appropriate place and time at which to meet. In fixing the time and place, this Convention but concurred in the suggestions of the honorable gentleman representing the people of South Carolina before this body. We are aware that several of our sister States, which have indicated a disposition to secede from the Union, and have called Conventions of their people, may not be able to meet us at so early a day; but the great importance to the States which have already seceded, and which are likely to secede by that date, of having a common government to manage their federal and foreign affairs in the emergency now pressing upon them, outweighed, in the opinion of the Committee, the considerations which suggested delay. The Committee more readily came to this conclusion, as the Convention which will meet on the 4th of February will at first be engaged in the formation of a Provisional Gouernment, leaving the more important question of a Permanent Government to be considered of at a later day; by which time it is hoped and believed that all the Southern States will be in a condition to send deputies to the Convention, and participate in its councils. It was thought also that the proposition to form the Provisional Government upon the basis of the Federal Constitution, so much revered by all the Southern States, would meet with the approval of all those which may secede. The Committee are also of opinion that the election of the deputies to meet the people of our sister States in Convention, should be made by the Convention. To submit the election to the people would involve a dangerous delay, and it would be impracticable to secure an election by the people before the 4th of February next.

The Committee, therefore, recommend to the Convention the adoption of the following resolutions, viz :

Resolved, That this Convention cordially approve of the suggestions of the Convention of the people of South Carolina to meet them in Convention on the 4th day of February, 1861, in the city of Montgomery, to frame a Provisional Government, upon the principles of the Constitution of the United States, and also to prepare a plan for the creation and establishment of a Permanent Government for the seceding States, upon the same principle, which plan shall be submitted to the Conventions of such States for adoption or rejection.

Resolved, That we approve of the suggestion that each State shall send to said Convention as many deputies as it now has, or has lately had, Senators and Representatives in the Congress of the United Statss; and that each State shall have one vote upon all questions upon which a vote may be taken in said Convention.

Resolved, therefore, That this Convention will proceed to elect by ballot one deputy from each Congressional district in this State, and two deputies from the State at large, at 12 o'clock, meridian, on Friday, the 18th of January, instant, who shall be authorized to meet in Convention such deputies as may be appointed by the other Slaveholding States who may secede from the Federal Union, for the purpose of carrying into effect the foregoing and the resolutions attached to the Ordinance dissolving the Union; and that the deputies shall be elected separately, and each deputy shall receive a majority of the members voting.

And, on motion, the Convention adjourned until to-morrow 10 o'clock.

SECRET SESSION.

MONTGOMERY, ALABAMA,
January 18th, 1861.

The Convention met at 10 o'clock, and was called to order by the President.

Prayer by Rev. Mr. Potter.

Call of Committees.

Mr. Clemens, from the Committee on Military Affairs, made the following report:

The Committee on Military Affairs, to whom was referred "an Ordinance to provide for the Military defense of the State of Alabama," have had the same under consideration, and instructed me to report the accompanying substitute, and recommend its passage:

"An Ordinance to provide for,—&c."

The report of the Committee was concurred in, and adopted as a substitute for the Ordinance referred.

A message was received from the Governor, communicating certain Resolutions adopted by the New York Legislature, which the Governor of said State had sent to him, entitled "Concurrent Resolutions tendering aid to the President of the United States in support of the Constitution and the Union."

Objection was made to the reading of the Resolutions, and

Mr. Yancey raised the question of reception, and moved to lay that on the table.

The vote was taken by ayes and nays, and the question of reception was laid on the table. Ayes, 53, nays, 42.

The ayes were: Messrs.

Bailey, Beard, Beck, Blue, Bragg, Catterlin, Clarke, of Marengo, Clarke, of Lawrence, Clemens, Cochran, Coleman, Crawford, Creech, Crook, Curtis, Daniel, Dargan, Davis, of Madison, Davis, of Pickens, Dowdell, Earnest, Ford, Foster, Gibbons, Hawkins, Henderson, of Macon, Howard, Humphries, Jewett, Jones, of Fayette, Kimball, Ketchum, Lewis, McClanahan, McClellan, Morgan, Phillips, Ralls, Rives, Ryan, Sheffield, Shortridge, Silver, Slaughter, Smith, of Tuscaloosa, Starke, Stone, Watkins, Whatley, Whitlock, Wilson, Yancey.—53.

The nays were:—Messrs.

President, Baker, of Barbour, Baker of Russell, Barclay, Barnes, Bolling, Brasher, Bulger, Coffey, Coman, Crumpler, Davis, of Covington, Edwards, Forrester, Franklin, Gay, Gilchrist, Green, Henderson of, Pike, Herndon, Hood, Inzer, Jones, of Lauderdale, Johnson, Leonard, Love, McKinnie, Owens, Posey, Potter, Sanford, Sheets, Smith, of Henry, Steadham, Steele, Taylor, Timberlake, Watts, Webb, Winston, Wood, Yelverton.—42.

A communication was also received from the Governor, transmitting the report of the Hon. E. C. Bullock, Commissioner to the State of Florida, which was temporarily laid on the table.

The consideration of the Military Ordinance was resumed, and Mr. Jemison moved to lay it on the table, and print.

Pending the consideration of which motion, (at 12 o'clock, M.,) the President announced that the hour had arrived to go into the election of Deputies to the Convention of Seceding States, to assemble at Montgomery Ala., on the 4th day of February, 1861.

Mr. Jemison moved to postpone the election until tomorrow at 12 o'clock M., which the President, (Mr. Smith, of Tuscaloosa in the chair,) decided to be out of order.

Mr. Jemison appealed from the decision of the Chair, and the Chair was sustained.

Mr. Earnest asked leave to offer a resolution, as a distinct proposition. It read as follows.

Resolved, That no Member of this Convention, (or of the present Legislature,) shall be eligible to election or a seat in the Southern Convention, provided for by the Ordinance of Secession adopted by this Convention.

The Chair, (Mr. Smith, of Tuscaloosa presiding,) decided that it was in order.

Mr. Yancey appealed from the decision of the Chair, and the Chair was sustained.

Mr. Phillips moved to lay the Resolution on the table, which was lost. Ayes, 44: nays, 55.

The ayes were—Messrs. Bailey, Baker, of Barbour, Baker, of Russell, Barnes, Beck, Blue, Bragg, Catterlin, Cochran, Coleman, Creech, Crook, Curtis, Daniel, Davis, of Pickens, Dowdell, Foster, Gibbons, Gilchrist, Hawkins, Henderson, of Macon, Henderson, of Pike, Howard, Humphries, Jewett, Ketchum, Love, McClanahan, McPherson, McKinnie, Owens, Phillips, Ralls, Ryan, Shortridge, Silver, Smith, of Henry, Stone, Watts, Webb, Whatley, Williamson Yancey, Yelverton. 44.

The nays were,—Messrs. President, Allen, Barclay, Beard, Bolling, Brasher, Bulger, Clarke, of Marengo, Clarke, of Lawrence, Clemens, Coffey, Coman, Crawford, Crumpler, Dargan, Davis, of Covington, Davis, of Madison, Earnest, Edwards, Ford, Forrester, Franklin, Gay, Green, Guttery, Herndon, Hood, Inzer, Jemison, Jones, of Fayette, Jones, of Lauderdale, Johnson, Kimball, Leonard, Lewis, McClellan, Morgan, Posey, Potter, Rives, Sanford, Sheets, Sheffield, Slaughter, Smith, of Tuscaloosa, Starke, Steadham, Steele, Taylor, Timberlake, Watkins, Whitlock, Wilson, Winston, Wood—55.

Mr. Blue offered the following amendment:

Except in the case of the election of the Deputies for the State at large.

At the urgent request of Mr. Yancey, Mr. Blue, withdrew the amendment.

Mr. Jemison moved to strike out "or of the present Legislature." Withdrawn.

Mr. Brooks (Mr. Smith still in the chair,) moved to amend by striking out "eligible to election or," and insert "shall be elected by this Convention to."

Which was accepted by Mr. Earnest.

Mr. Jemison moved to amend, by inserting between the words "no" and "member," in the first line, the words: "person elected a" which was adopted.

Mr. Clemens moved to suspend the rule requiring the

Convention to adjourn at 2 o'clock, P. M., which was agreed to.

Mr. Jemison moved to amend as follows: Add at the end of the resolution, "or to any other office created by this Convention," which on motion by Mr. Morgan, was laid on the table.

Mr. Cochran moved to amend by adding after the word "Legislature," the words, "or any other person holding office in the State, elected by the people or otherwise."

Mr. Jemison moved to lay on the table, but by request, withdrew it.

Mr. West moved the previous question, and the previous question being sustained, the vote was taken on the resolution, and it was lost.

Ayes, 46, nays, 50.

The ayes were,—Messrs. President, Allen, Barclay, Beard, Brasher, Bulger, Clarke, of Lawrence, Clemens, Coffey, Coman, Crawford, Crumpler, Earnest, Edwards, Ford, Forrester, Franklin, Gay, Green, Guttery, Hood, Inzer, Jemison, Jones, of Fayette, Jones, of Lauderdale, Johnson, Kimball, Leonard, McClellan, Morgan, Posey, Potter, Sanford, Sheets, Sheffield, Slaughter, Smith, of Tuscaloosa, Steadham, Steele, Taylor, Watkins, Whitlock, Wilson, Winston, Wood.—46.

The nays were,—Messrs. Bailey, Baker, of Barbour, Baker of Russell, Barnes, Beck, Blue, Bolling, Bragg, Catterlin, Clarke, of Marengo, Cochran, Coleman, Creech, Crook, Curtis, Daniel, Dargan, Davis, of Covington, Davis, of Madison, Davis, of Pickens, Dowdell, Gibbons, Gilchrist, Hawkins, Henderson, of Macon, Henderson, of Pike, Herndon, Howard, Humphries, Jewett, Ketchum, Love, McClanahan, McPherson, McKinnie, Owens, Phillips, Ralls, Rives, Ryan, Shortridge, Silver, Smith, of Henry, Starke, Stone, Timberlake, Watts, Webb, Whatley, Williamson, Yancey. 50.

The Convention went into an election of Deputies to the Convention of seceding Slaveholding States, proposed to be held in the city of Montgomery on the 4th day of February, 1861.

The Convention proceeded with the election of Deputies, by ballot, and by Congressional Districts in the order of their numbers.

Mr. Dargan nominated Calvin J. McRae, for the 1st Congressional District.

Mr. Silver nominated George N. Stewart.

Mr. Morgan nominated E. W. Pettus.

1st Ballot. The first ballot resulted as follows: Mc.Rae, 40; Pettus. 43; Stewart, 5; Lyon, 1; Blank, 1; necessary to an election, 46. The President announced that no election was had.

Mr. Silver withdrew the name of George N. Stewart.

Mr. Matterlin nominated F. S. Lyon.

The Convention then proceeded to the 2nd ballot. The second ballot resulted as follows: McRae, 40; Pettus, 42; Lyon, 8; necessary to an election, 46. The President announced that no election was had.

Mr. Earnest, from the Committee on Enrollment, made the following report:

The Committee on Enrollment, have instructed me to report, that they have examined the Ordinance of Secession as engrossed by the Clerk, and report it correctly enrolled; and that the same is now ready for the signatures of the Members of this Convention, who may be disposed to sign the same.

Respectfully submitted,

W. S. EARNEST, *Chairman.*

Which report was withdrawn.

The President announced the following names on the Special Committee on Public Lands, which had been ordered, to wit: For the St. Stephens Land Office District, Mr. Jewett; for the Elba District, Mr. Yelverton; for the Greenville District, Mr. Bolling; for the Huntsville District, Mr. Lewis; for the Centre District, Mr. Winston; for the Tallapoosa District, Mr. Coleman; for the Demopolis District, Mr. Rives.

The President announced that he had added to the Committee on the Constitution, Messrs. Gibbons and Morgan, in compliance with an order of the Convention.

Upon motion by Mr. Jemison, the Convention then adjourned.

SECRET SESSION.

MONTGOMERY, ALA.,
January 19th, 1861.

The Convention was called to order at the appointed hour by the President.

Prayer by Rev. Mr. Ralls.

The minutes were read and approved.

Mr. Clarke of Marengo, asked leave, and obtained it, to change his vote in reference to New York Resolutions, and he voted in the affirmative.

Mr. Jemison moved to suspend the regular business to make a report, which motion prevailed.

Mr. Jemison, from Committee on Finance and Commerce, made the following report:

The Committee on Finance, and Commerce, to whom was referred an Ordinance in respect to the issuance of Bonds of the State, have had the same under consideration and instructed me to report a substitute therefor, and recommend its adoption.

JEMISON, *Chairman*.

The substitute is entitled "An ordinance to provide for the issuance of State Bonds."

Mr. Jemison moved that the report be concurred in and adopted.

Mr. Whatley moved to amend the ordinance, filling the blank with "three." The motion was withdrawn.

Mr. Brooks (Mr. Webb in the chair) moved to amennd by striking out the words "To an amount not to exceed —— millions of dollars," Adopted.

Mr. Jemison moved to amend by striking out "in all in sums of five hundred or one thousand dollars each," and insert in lieu thereof the following words: "in such sums," which amendment was adopted.

The question being upon adopting the amended ordinance as a substitute for the one reported by the committee, it was adopted.

The question was then upon the passage of the ordinance as it was amended, and it was passed.

Mr. Clemens moved to suspend the regular business in order to take up the reports of the Committee on Military Affairs, but withdrew the motion.

The regular order of business being the election of Deputies to the Southern Convention, was then taken up.

Mr. Catterlin asked and obtained leave to withdraw the name of Mr. Lyon as a candidate from the First Congressional District.

On the third ballot, Messrs. E. W. Pettus and C. J. McRae alone being in nomination, Mr. Pettus received 38 votes, Mr. McRae 44, and Mr. Lyon 18—total 101.

Mr. Morgan asked and obtained leave to withdraw the name of E. W. Pettus of Dallas.

And on the fourth ballot, Mr. McRae received 57 votes, Mr. Lyon 28, and Mr, Pettus 13—total 98; and Mr. McRae was declared duly elected a Delegate to the Southern Convention from the First Congressional District.

The President announced it in order to proceed to elect a Deputy for the Second Congressional District.

Mr. Williamson put in nomination the name of Lewis L. Cato of Barbour.

Mr. President asked leave to put in nomination John Gill Shorter of Barbour, D. U. Baine of Lowndes, and James L. Pugh of Barbour.

Mr. Rives nominated Cornelius P. Robinson, of Lowndes.

And on the first ballot, Mr. Cato received 45 votes, Mr. Shorter 31, Mr. Baine 11, Mr. Robinson 6, Mr. Pugh 1—total 94.

The names of Mr. Pugh and Mr. Baine were withdrawn.

Mr. Rives withdrew the name of Mr. Robinson.

And on the second ballot—

Mr. Cato received	38	votes.
" Shorter "	56	"
" Robinson "	4	"
Total	98	

And the President announced that Mr. Shorter was duly elected a Delegate from the Second Congressional District.

The President announced that it was in order to proceed to the election of a Delegate from the Third Congressional District.

Mr. Barnes nominated Samuel F. Rice.

Mr. Foster nominated W. P. Chilton.

Mr. Yancey asked him to withdraw the name of W. P. Chilton, as he did not desire the position; which was not done.

Mr. Herndon nominated John A. Elmore, but withdrew his name upon statement being made that he could not serve.

Mr. Bolling nominated Thomas J. Judge.

And on the first ballot—

Mr. Rice received	21	votes.
··· Chilton ···	51	···
··· Judge ···	16	···
··· Yancey ···	4	···
··· Cato ···	5	···
Total	97	

And the President announced that W. P. Chilton was duly elected a Delegate to the Southern Convention from the Third Congressional District.

The President then announced that it was in order to proceed to the election of a Delegate for the Fourth Congressional District.

Mr. Bailey nominated J. W. Garrott of Perry.

Mr. Jemison nominated A. L. Whitfield of Tuscaloosala.

Mr. Gilchrist nominated S. F. Hale, of Greene.

And on the first ballot—

Mr. Garrott received	23	votes.
··· Hale ···	28	···
··· Whitfield ···	45	···
··· Cato ···	2	···
··· Yancey ···	1	·
Total	99	

And there was no election.

On the second ballot—

Mr. Garrott received	10	votes.
··· Hale ···	39	···
··· Whitfield ···	46	···
··· Cochran ···	1	···
Total	96	

And there was no election.

Mr. Bailey withdrew the name of Mr. Garrott.

And on the third ballot—

Mr. Hale received	51	votes.
··· Whitfield ···	45	···
··· Cochran ···	1	···
··· Yelverton "	1	···
Total	98	

And the President proceeded to announce that Mr. Hale was duly elected a Delegate from the Fourth Congressional District.

The President then announced that it was in order to proceed to the election of a Delegate from the Fifth Congressional District.

Mr. McClellan nominated Luke Pryor of Limestone.

Mr. Whatley nominated John E. Moore of Lauderdale.

Mr. Herndon nominated David P. Lewis of Lawrence.

And on the first ballot—

Mr. Pryor received	40	votes.
··· Moore ···	33	···
··· Lewis ···	24	···
··· Walker ···	1	···
··· Whatley ···	1	···

And there was no election.

Mr. McClellan withdrew the name of Mr. Pryor.

On motion of Mr. Baker of Russell the rule requiring the Convention to adjourn at 2 o'clock was suspended.

Mr. Whatley withdrew the name of Mr. Moore.

And on the second ballot—

Mr. Lewis received	65	votes.
··· Houston ···	2	···
··· Pryor ···	6	···
··· Moore ···	11	···
··· Cato ···	1	···
Total	85	

And the President announced Mr. D. P. Lewis duly elected a Deputy to the Southern Convention for the Fifth Congressional District.

The President then announced that it was in order to proceed to the election of a Deputy for the Sixth Congressional District.

Mr. Beard nominated Dr. Thomas Fearn of Madison.

Mr. Ralls nominated F. M. Hardwick of Cherokee.

And on the first ballot—

Mr. Hardwick	received	26	votes.
··· Fearn	···	72	···
··· L. P. Walker	···	1	···
Total		99	

And the President announced that Dr. Thomas Fearn was duly elected, a Deputy to the Southern Convention for the Sixth Congressional District.

The President then announced that it was in order to proceed to the election of a Deputy for the Seventh Congressional District.

Mr. Ryan nominated G. C. Whatley, who withdrew his own name, and nominated J. L. M. Curry of Talladega.

Mr. Johnston nominated W. II. Smith of Randolph.

And on the first ballot—

Mr. Curry	received	52	votes.
“ Smith	“	47	“
Total		99	“

The President announced that Mr. Curry was duly elected Deputy to the Southern Convention for the 7th Congressional District.

The President then announced that it was in order to proceed to the election of two Deputies for the State at large.

Mr. Bragg nominated Richard W. Walker.

Mr. Jemison nominated Robert H. Smith. It was withdrawn temporarily.

Mr. Beck nominated W. L. Yancey. Mr. Yancey requested him to withdraw it, which he did temporarily.

Mr. Clrak of Marengo nominated E. W. Pettus. Temporalily withdrawn.

Mr. Jemison moved to adjourn. Lost.

Mr. R. W. Walker alone being in nomination, on the first ballot—

Mr. Walker	received	86	votes.
“ Jemison	“	3	“
“ Smith	“	1	“

Mr. Clemens	received	1	vote.
" L. P. Walker,		2	"
" Yancey	"	1	"
Total		94	"

And the President announced that R. W. Walker was duly elected one of the Deputies for the State at large.

Mr. Jemison renewed the nomination of R. H. Smith of Mobile.

Mr. Beck renewed the nomination of W. L. Yancey.

Mr. Yancey again asked him to withdraw it. Mr. Beck refusing, Mr. Yancey desired that it might be entered upon the journals that he declined to be considered a candidate, and would not accept the position. He said he had repeatedly declared to his friends his determination not to be a candidate, and once before to the Convention; and he had done so upon well matured views, still entertained.

Mr. Jewett nominated Charles T. Pollard of Montgomery.

Mr. Clarke of Marengo renewed the nomination of E. W. Pettus.

Messrs. Smith, Pettus and Pollard alone being in nomination, on the first ballot—

Mr. Yancey	received	38	votes.
" Smith	"	50	"
" Pettus	"	8	"
" Pollard	"	2	"
Total		98	"

And the President announced the election of Robt. H. Smith, as the other Deputy for the State at large.

On motion by Mr. Baker of Russell, secresy in relation to the election was removed.

Mr. Ketchum offered an ordinance to provide for the treatment of sick and disabled seamen in the port of Mobile; which was referred to the Committee on Imposts and Duties.

Mr. Yancey moved to remove secresy in regard to the report and resolutions in relation to the Southern Convention. Adopted.

The ordinance reported by Mr. Clemens, from the Committee on Military Affuirs, was then taken up.

The question being on Mr. Jemison's motion to lay the ordinance on the table, and print 200 copies for the use of the Convention, the question was lost.

Mr. Watts, by general consent, moved that Gen. P. H. Brittan, Secretary of State, be admitted to a seat on the floor of the Convention; which was agreed to.

The ordinance was then adopted.

Mr. Clemens moved to remove the injunction of secresy from the ordinance just passed, and that a copy be transmitted to the Speaker of the House of representatives; which was adopted.

Mr. Silver offered the following resolutions, which were adopted:

Resolved, That the Committee on the Constitution be instructed to inquire into the propriety of expressing the sense of this Convention that the Southern Convention shall not transfer the right resumed by the people of Alabama, by the ordinance of the 11th January, 1861, either to naturalize foreigners or to make uniform laws of naturalization.

Also, the sense of this Convention that no power shall be given to the legislature of Alabama to make uniform laws of naturalization; but that the power shall be and remain where it is now, by the custom of nations, in the supreme government of the State, to be exercised in each individual case at its discretion.

Mr. Yancey moved to take up the ordinance to establish a Council of State for the Governor.

Mr. Jemison moved to adjourn until 10 o'clock A. M. tomorrow; which was adopted.

SECRET SESSION.

MONTGOMERY, ALA.,
January 21, 1861.

The Convention met pursuant to adjournment.

Prayer by Rev. Mr. Russell.

Mr. Dowdell moved to suspend the regular order ot business to enable him to introduce a resolution. Suspended.

Mr. Jemison made a like motion, with like result.

Mr. Herndon the same.

Mr. Dowdell offered his resolution, as follows:

Resolved, that the rule requring this Convention to sit with closed doors be and the same is hereby repealed, and that the injunction of secresy upon the proceedings be removed, unless in cases with special provisions to the contrary; and that spectators be admitted into the gallery.

Mr. Jemison offered to amend, by striking out all after the word "resolved," and insert in lieu thereof "that the injunction of secresy be removed from all proceedings of this Convention, except so far as has been or may be specially provided to the contrary."

Mr. Dowdell moved to lay the amendment on the table.

Mr. Jemison moved to amend the amendment, so as to include the original in the motion to lay on the table.

Mr. Watts called for a division of the question. Decided by the Chair, not divisible.

A motion was made to lay the whole matter on the table.

Mr. Jemison called for the yeas and nays.

The question being on the motion to lay on the table, the yeas and nays were taken as follows:

Ayes—Messrs. Bailey, Baker of Barbour, Baker of Russell, Barnes, Beck, Bolling, Catterlin, Clarke of Marengo, Cochran, Coleman, Creech, Crook, Daniel, Dargan, Davis of Covington, Davis of Pickens, Dowdell, Earnest, Forrester, Foster, Gibbons, Henderson of Macon, Henderson of Pike, Herndon, Howard, Jewett, Ketchum, Love, McClanahan, McPherson, McKinnie, Owens, Ralls, Rives, Ryan, Shortridge, Silver, Smith of Henry, Starke, Stone, Watts, Webb, Whatley, Williamson, Yancey, Yelverton.—46.

Nays—Messrs. President, Allen, Barclay, Beard, Bragg, Brasher, Bulger, Clarke of Lawrence, Clemens, Coffey, Coman, Crawford, Crumpler, Curtis, Davis of Madison, Edwards, Ford, Franklin, Gay, Gilchrist, Green, Guttery, Hawkins, Hood, Inzer, Jemison, Jones of Fayette, Jones of Lauderdale, Johnson, Kimball, Leonard, McClellan, Morgan, Posey, Potter, Russell, Sanford, Sheets, Sheffield, Slaughter, Smith of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Watkins, Whitlock, Wilson, Winston, Wood.—50

And the motion to lay on the table was lost.

Mr. Dowdell offered the following amendment to Mr. Jemison's amendment, to include the original resolution in the motion to lay on the table, to wit: "and that the further proceedings of this body be conducted with open doors, unless otherwise ordered by the Convention."

A motion was made to lay the whole matter on the table, and the yeas and nays called for, with the following result:

Yeas—Messrs. President, Allen, Bailey, Barclay, Beard, Bragg, Brasher, Clark of Lawrence, Clemens, Coffey, Coman, Crawford, Creech, Crumpler, Curtis, Edwards, Forrester, Foster, Franklin, Gay, Gilchrist, Guttery, Hawkins, Hood, Jemison, Jones of Fayette, Jones of Lauderdale, Johnson, Kimball, Leonard, Love, McClellan' Morgan, Posey, Potter, Russell, Sanford, Sheets, Sheffield, Slaughter, Smith of Henry, Smith of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Watkins, Webb Whitlock, Winston, Wood.—51.

Nays—Messrs. Baker of Barbour, Baker of Russell, Barnes, Beck, Bolling, Bulger, ~~Catterlin,~~ Clark of Marengo, Cochran, Coleman, Crook, Daniel, Dargan, Davis of Covington, Davis of Madison, Davis of Pickens, Dowdell, Earnest, Ford, Gibbons, Green, Henderson of Macon, Henderson of Pike, Herndon, Howard, Inzer, Jewett, Ketchum, Lewis, McClanahan, McPhereson, McKinnie, Owens, Ralls, Ries, Ryan, Shortridge, Silver, Starke, Stone, Watts, Whatley, Williamson, Wilson, Yancey, Yelverton.—46.

So the motion to lay the whole matter on the table, was carried.

Mr. Jemison offered a resolution, which was referred to the Committee on the Constitution.

Mr. Henderson of Macon, then offered his resolution, as follows:

Resolved, That a committee of three be appointed to prepare an address to the people of Alabama.

Mr. Kimball moved to lay the resolution on the table, and the yeas and nays being called for, resulted:

Yeas—Messrs. Allen, Baker of Barbour, Baker of Russell, Barclay, Beard, Brasher, Bulger, Clark of Lawrence, Clemens, Coffey, Coleman, Coman, Creech, Crumpler, Davis of Covington, Davis of Madison, Edwards, Ford, Forrester, Franklin, Gay, Green, Guttery, Herndon, Hood, Inzer, Jemison, Jones of Fayette, Jones of Lauderdale, Johnson, Kimball, Leonard, McClellan, McKinnie, Owens, Posey, Potter, Russell, Sanford, Sheets, Sheffield, Slaughter, Smith of Henry, Smith of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Webb, Whitlock, Wilson, Winston, Wood.—52.

Nays—Messrs. President, Bailey, Barnes, Beck, Bolling, Bragg, Clarke of Marengo, Cochran, Crawford, Crook, Curtis, Daniel, Dargan, Davis of Pickens, Dowdell, Earnest, Foster, Gibbons, Gilchrist, Hawkins, Henderson of Macon, Henderson of Pike, Howard, Jewett, Ketchum, Lewis, Love, McClanahan, McPherson, Morgan, Ralls, Rives, Ryan, Shortridge, Silver, Stone, Watkins, Watts, Whatley, Williamson, Yancey, Yelverton.—41.

The resolution was laid on the table.

Mr. Herndon then offered his Resolution as follows:

Resolved, That the President of this Convention be requested to instruct the Secretary, to transmit to his Excellency the Governor, and to the General Assembly of this State, copies of the Ordinances which have been, or may, from time to time, be adopted by this body, except such as it would be incompatible with the interests of the State of Alabama to be communicated.

The Resolution was adopted.

The President read to the Convention, a communication from the Chairman of a Joint Committee of the General Assembly as follows:

MONTGOMERY, Jan. 18th, 1861.

Sir:—It is made my duty, as Chairman of a Joint Committee of the two Houses, to communicate to the honorable body over which you preside, the following joint resolution:

"Be it Resolved, That the Convention be requested to appoint a Committee, to confer with a joint Committee of the two Houses, for the purpose of ascertaining and fixing the respective duties of the said Convention and General Assembly, in regard to the regulations immediately required by the exigencies of the State."

Very respectfully,

E. C. BULLOCK.

HON. W. M. BROOKS,
President of the Convention.

Mr. Jemison moved the appointment of a Committee of three, in accordance with the request of the General Assembly, which was adopted.

Mr. Baker of Russell, offered the following resolution:

Resolved, that the Judiciary Committee be instructed to enquire into the expediency of passing an Ordinance relative to what disposition should be made of that class of cases, in which appeals have been taken by citizens of this State, from the decision of the Supreme Court of the State, to the Supreme Court of the United States, and now pending in that Court.

Upon motion, referred to the Judiciary Committee.

Mr. Bragg moved to admit Thadeus Sandford, Esq., Collector of the Port of Mobile, who had been sent for by the Convention, and repaired to the Capitol in obedience to its orders, to a seat on the floor.

Mr. Jewett moved to amend so as to admit the Chancellors of the State.

Mr. Clemens moved to amend the amendment, by adding the words, "the public at large."

Mr. Clemens withdrew, and instead, offered to reconsider the vote taken on Mr. Dowdell's resolution, and the amendments by which the whole matter was laid on the table.

Mr. Shortridge moved to suspend the regular order of business, to enable him to offer an Ordinance, which was not agreed to.

Mr. Jemison moved to postpone the consideration of Mr. Clemens' motion to reconsider, to Saturday next, at 12 M. Lost.

The question being upon Mr. Clemens' motion to reconsider, the yeas and nays were called, and resulted:

Yeas,—Messrs. President, Allen, Bailey, Baker of Barbour, Baker of Russell, Barnes, Bolling, Bulger, Catterlin, Clark of Marengo, Clemens, Cochran, Coleman, Creech, Crook, Daniel, Davis of Covington, Davis of Madison, Dowdell, Earnest, Foster, Gibbons, Henderson of Macon, Henderson of Pike, Howard, Inzer, Jewett, Johnson, Kimball, Ketchum, Love, McClanahan, McPherson, McKinnie, Owens, Ralls, Rives, Ryan, Shortridge, Silver, Starke, Stone, Watts, Whatley, Williamson, Wilson, Yancey, Yelverton. 47.

Nays—Messrs. Beard, Brasher, Clark of Lawrence, Coffey, Coman, Crawford, Crumpler, Curtis, Davis of Pickens, Edwards, Forrester, Franklin, Gay, Green, Guttery, Hawkins, Hood, Jemison, Jones of Fayette, Jones of Lauderdale, Leonard, Morgan, Posey, Potter, Russell, Sanford, Sheets, Sheffield, Slaughter, Smith of Tuscaloosa, Steadham, Taylor, Timberlake, Watkins, Webb, Whitlock, Winston, Wood.—44.

The motion to reconsider, was carried.

Mr. Dowdell's resolution, with the amendment offered to it, was taken up.

The question was, being on laying Mr. McDowdell's amendment to Mr. Jemison's amendment, on the table, it was adopted.

The question was then upon Mr. Jemison's amendment, as amended, for adoption or rejection.

Mr. Jemison by leave, withdrew it.

Mr. Bulger moved to lay the amendment on the table, which was carried.

Mr. Morgan moved to amend by striking out all after the word "resolved," and insert the following as a substitute:

That this Convention when it adjourns on this day, stand adjourned to meet in the Theatre in Montgomery, on to-morrow morning at 10 o'clock, and that the people in general be invited to attend.

The Chair ruled the amendment not in order.

Mr. Morgan took an appeal, and the Chair was sustained.

Mr. Smith of Tuscaloosa offered the following as a substitute:

Resolved, That the members of the General Assembly be admitted within this Hall during the sitting of the Convention.

Mr. Watts moved to lay it on the table.

Mr. Morgan called for the yeas and nays, which resulted as follows:

Yeas.—Messrs. President, Bailey, Baker of Russell, Barnes, Beard, Beck, Blue, Bolling, Bragg, Brasher, Catterlin, Clarke of Marengo, Clemens, Coffey, Coleman, Coman, Creech, Crook, Crumpler. Curtis, Davis of Covington, Davis of Madison, Davis of Pickens, Dowdell, Edwards, Ford, Forrester, Foster, Gibbons, Green, Hawkins, Henderson of Macon, Henderson of Pike, Herndon, Hood, Howard, Jewett, Jones of Lauderdale, Ketchum, Leonard, Lewis, Love, McClanahan, McPherson, McKinnie, Posey, Ralls, Rives, Ryan, Sanford, Shortridge, Silver, Slaughter, Starke, Steele, Taylor, Watkins, Watts, Webb, Whatley, Williamson, Yancey, Yelverton.—63.

Nays—Messrs. Barclay, Bulger, Clarke of Lawrence, Franklin, Gay, Guttery, Inzer, Jones of Fayette, Morgan, Russell, Sheets, Sheffield, Smith of Tuscaloosa, Steadham, Timberlake, Whitlock, Wilson, Winston and Wood.—20.

The question then being on the passage of Mr. Dowdell's resolution, the yeas and nays were called for, and resulted as follows:

Nays—Messrs. Bailey, Baker of Barbour, Baker of Russell, Barnes, Blue, Bolling, Bulger, Catterlin, Clarke of Marengo, Clemens, Cochran, Coffey, Coleman, Creech, Crook, Curtis, Daniel, Davis of Covington, Davis of Madison, Davis of Pickens, Dowdell, Foster, Gibbons, Henderson of Macon, Henderson of Pike, Howard, Inzer, Jewett, Ketchum, Lewis, Love, McClanahan, McPherson, McKinnie, Ralls, Rives, Ryan, Shortridge, Silver, Starke, Stone, Watts, Whatley, Williamson, Yancey and Yelverton.—45.

Nays.—Messrs. President, Allen, Barclay, Beard, Beck, Bragg, Brasher, Clarke of Lawrence, Coman, Earnest, Edwards, Ford, Forrester, Franklin, Gay, Green, Guttery, Hawkins, Hood, Jemison, Jones of Fayette, Jones of Lauderdale, Kimball, Leonard, McClellan, Morgan, Posey, Potter, Russell, Sanford, Sheets, Sheffield, Slaughter, Smith of Tuscaloosa, Steadham, Steele, Taylor, Timber lake, Watkins, Webb, Whitlock, Wolson, Winston and Wood.—44.

And the Convention went into open session.

OPEN SESSION.

MONTGOMERY, ALA.,
January 21, 1861.

After the adoption of a resolution offered by Mr. Dowdell, to remove the injunction of secresy as to all previous business of the Convention, the gallery was thrown open, and, in open session,

Mr. Shortridge renewed a motion to suspend the regular order of business to permit him to submit an ordinance; which was agreed to, and

Mr. Shortridge introduced "an Ordinance in relation to the collection of debts in the several Courts of this State by persons residing in tne non-slaveholding States of the United States of America, and for other purposes."

Which, on motion of Mr. Shortridge, was referred to the Judiciary Committee.

Mr. President announced the appointment of the Committee of Conference, in reference, in response to the resolution of, and to confer with, the committee of the General Assembly, viz: Messrs. Jemison, Yancey and Clemens.

CALL OF COMMITTEES.

Mr Watts, from the Committee on the Judiciary and Internal Affairs, made the following report:

The Committee on the Judiciary and Internal Affairs have instructed me to report the Ordinance herewith submitted, and recommend its passage.

"An Ordinance to transfer and regulate the jurisdiction and practice of the several Federal Courts within the limits of the State of Alabama."

And, on motion of Mr. Watts, the report and Ordinance were laid on fhe table, and 200 copies ordered to be printed.

Mr. Cochran called up the Ordinance reported by the Committee on the Constitution, to appoint a Council of State.

Mr. Williamson moved to fill the blank with the sum of $10. Lost.

Mr. Morgan moved to fill the blank with $8. Lost.

Mr. Cochran moved to fill the blank with $5.

Mr. Morgan moved to strike out all in relation to pay, and leave that to the Legislature.

Mr. Beck moved to fill the blank with the sum of four dollars per day and mileage. Adopted.

Mr. Shortridge offered the following amendment, which, on motion of Mr. Beck, was laid on the table:

"Whose duty it shall be, when required by the Governor to advise with him upon all matters which may be submitted to their consideration, and that a record of such consultation shall be kept; provided, nevertheless, that the Governor shall in all cases decide upon his own action."

Mr. Bulger offered the following amendment, which on motion of Mr. Cochran was laid on the table: Strike out "this Convention" where it occurs in the third line of the first section, and insert "the Senate of the State."

The question was then on the passage of the ordinance, and the vote being taken by yeas and nays, it was lost. Yeas 40—nays 52.

Yeas—Mr. President, Bailey, Barns, Beck, Blue, Bolling, Bragg, Catterlin, Clarke of Marengo, Cochran, Coleman, Curtis, Daniel, Dargan, Davis of Covington, Davis of Pickens, Dowdell, Foster, Gibbons, Gilchrist, Hawkins, Henderson of Macon, Herndon, Howard, Jewett, Ketchum, Lewis, Love, McClanahan, Rives, Ryan, Shortridge, Silver, Stone, Watts, Whatley, Williamson, Wood, Yancey and Yelverton.

Nays—Messrs. Allen, Baker of Barbour, Baker of Russell, Barclay, Beard, Brasher, Bulger, Clarke of Lawrence, Clemens, Coffey, Coman, Crawford, Creech, Crook, Crumpler, Davis of Madison, Edwards, Ford, Forrester, Franklin, Gay, Green, Guttery, Hood, Inzer, Jemison, Jones of Fayette, Jones of Lauderdale, Johnson, Kimball, Leonard, McClellan, McKinnie, Posey, Potter, Ralls, Russell, Sanford, Sheets, Sheffield, Slaughter, Smith of Tuscaloosa, Starke, Steadham, Steele, Taylor, Timberlake, Watkins, Webb, Whitlock, Wilson and Winston.

Mr. Morgan asked leave of absence for Mr. Phillips. Agreed to.

Mr. Yancey, by leave, introduced the following resolution, and moved its adoption:

Resolved, That the pay of Delegates to this Convention, both mileage and per diem, and the several officers thereof, shall be the same as that fixed by law for members of the General Assembly, and of the officers of the House of Representatives previous to the passage of the act of 21st February, 1860, pending the consideration of which the hour of adjournment arrived, and the Convention adjourned until 10 o'clock to-morrow.

OPEN SESSION.

MONTGOMERY ALA., January 22, 1861.

The Pesident called the Convention to order at 10 A. M.

Prayer by Rev. Mr. McDonald.

Journals of yesterday read and approved.

CALL OF COMMITTEES:

Mr. Bragg, from the Committee on Imposts and Duties, reported a supplemental ordinance in reference to the Mobile customhouse, which on motion of Mr. Clemens was referred to the Committee on Printing, with instructions to print two hundred copies, and the ordinance was made the special order for to-morrow at 12 o'clock.

Mr. Bragg, from the same, to whom was referred a communication from the Governor touching the Mobile customhouse, etc., asked to be discharged from the further consideration of the same, which was agreed to.

Mr. Dargan, from the Committee on Foreign Relations, reported as follows:

Your committee, to whom were referred certain resolutions adopted by many of the Southern Senators and members of the House of Representatives of the Congress of the United States, have had the same under consideration. They believe that the ordinance of secession adopted by the Convention of the people of the State of Alabama severs completely all connections between the State of Alabama and the Government of the United States; that the State of Alabama is no longer entitled to, and ought not to be represented in the Congress of the United States. Therefore, they have instrueted me to report the following resolution:

Resolved, That our Senators and members of Congress of the Government of the United States at Washington City be informed that the State of Alabama can no longer be represented in the Congress of the United States as one of said United States.

The report of the Convention was concurred in, and the resolution adopted.

Mr. Dargan, Chairman of the Committee on Foreign Relations, reported resolutions to authorize the Governor to appoint two Commissioners to proceed to Washington City.

Mr. Shortridge moved to refer the resolutions to the Committee on Foreign Affairs. Lost.

Mr. Dargan moved the adoption of the resolutions.

Mr. Baker of Russell rose to a point of order, that the resolutions were not reported by instructions of the Committee, but was an independent matter, and was out of order pending reports from the Committee, which was overruled by the Chair.

Mr. Smith of Tuscaloosa moved to amend by striking out "two" and inserting "one."

Mr. Jemison raised a point of order, and at the request of the President, stated the point in writing, thus:

Mr. Jemison raises this point of order: The Chairman of a Committee on Foreign Relations having introduced matter before the Convention unaccompanied by a report, and on which it appears there has been no formal action by the Committee, and on a subject not committed to that Committee, the same is out of order.

The President overruled the point of order, for that, if it were well taken in the opinion of the Chair the time had been permitted to pass when it might have been made, the Convention having already entertained and taken action on the subject matter.

An appeal was taken from the decision of the Chair, and it was sustained.

Mr. Blue moved to lay the whole matter on the table, but at the request of Mr. Watts, and an intimation of a desire to reply to argument, withdrew his motion.

Pending the consideration of the question, Mr. Clemens rose to a privileges question, and moved to reconsider the vote taken yesterday upon an ordinance to appoint counsellors, and to postpone the consideration of his motion to 12 M. to-morrow.

Objection being made, because the motion was not made before 11 A. M., as per rules of House of Representatives, he withdrew it.

The question being upon the motion to lay Mr. Dargan's motion upon the table, the yeas and nays were called for. Yeas 48—nays 46.

Yeas—Mr. President, Bailey, Baker of Russell, Barclay, Beard, Beck, Blue, Bolling, Bulger, Clarke of Lawrence, Clemens, Cochran, Coffey, Coman, Creech, Crumpler, Curtis, Davis of Madison, Davis of Pickens, Edwards, Franklin, Guttery, Hood, Howard, Inzer, Jemison, Jones of Fayette, Jones of Lauderdale, Johnson, McClanahan, McClellan, McKinnie, Owens, Potter, Rives, Sanford, Sheets, Sheffield, Silver, Slaughter, Smith of Henry, Starke, Steadham, Steele, Webb, Winston and Yancey.

Nays—Messrs. Allen, Baker of Barbour, Barnes, Bragg, Brasher, Catterlin, Clarke of Marengo, Coleman, Crawford, Crook, Daniel, Dargan, Davis of Covington, Dowdell, Earnest, Ford, Forrester, Foster, Gay, Green, Hawkins, Henderson of Macon, Henderson of Pike, Herndon, Jewett, Kimball, Leonard, Lewis, McPherson, Morgan, Posey, Ralls, Russell, Ryan, Shortridge, Smith of Tuscaloosa, Stone, Taylor, Timberlake, Watkins, Watts, Whatley, Wilson, Wood and Yelverton.—46.

The whole matter was laid on the table.

Mr. Cochran moved to reconsider the vote just taken.

Mr. Bragg gave notice that if the vote was reconsidered, he would offer the following proviso as an amendment:

Provided, That the Governor shall not act under this resolution until he has received assurances that the States of Mississippi, Georgia and Florida propose also to send Commissioners to Washington.

Mr. Yancey moved a suspension of the business now before the Convention, in order that he might move to suspend the rule of adjournment. Carried; and the motion to suspend the rule to adjourn at 2 o'clock P. M. was carried.

The motion recurring to reconsider the vote by which the resolution of Mr. Dargan was laid on the table, it was carried;

And Mr. Dargan's resolution was taken up.

Mr. Bragg called up his amendment first offered, and the question being upon its adoption, it was lost.

Mr. Smith of Tuscaloosa called up his amendment first offered, and the question being upon its adoption, it was carried.

The question was now upon the passage of the resolution as amended, to-wit:

Resolved, by the people of the State of Alabama in Convention assembled, That the Governor of this State be authorized to send one Commissioner to the Government of the United States at Washington City, whose duty it shall be to negotiate with said Government of the United States in reference to the forts, arsenals, and custom-houses within the State, and the public debt of the United States; also, as to the future relations of the State of Alabama, now a sovereign, independent State, with said Government of the United States.

Section 2. Be it further resolved, That such Commissioner shall receive eight dollars per day for his services during the time he shall remain at the City of Washington in discharge of the duties aforesaid, and in addition thereto such Commissioner shall receive the sum of two hundred dollars for going to and returning from the City of Washington; and said Commissioner may be recalled at the pleasure of the Governor, who may appoint another in his stead, if, in his judgment, the public interest requires it.

And the Yeas and Nays were called for, with the following result:

Yeas—Messrs. Allen, Baker of Barbour, Barnes, Blue, Bolling, Catterlin, Clark of Marengo, Coffey, Coleman, Crawford, Crook, Crumpler, Daniel, Dargan, Davis of Covington, Davis of Pickens, Dowdell, Earnest, Edwards, Forrester, Foster, Gay, Hawkins, Henderson of Macon, Henderson of Pike, Herndon, Hood, Howard, Jewett, Johnson, Kimball, Ketchum, Leonard, Love, McClanahan, McPherson, Morgan, Posey, Ralls, Russell, Ryan, Shortridge, Smith of Tuscaloosa, Starke, Stone, Timberlake, Watkins, Watts, Whatley, Williamson, Wilson, Wood, Yelverton.—52.

Nays—Messrs. President, Bailey, Baker of Russell, Barclay, Beck, Bragg, Brasher, Bulger, Clark of Lawrence, Cochran, Coman, Creech, Davis of Madison, Ford Franklin, Gibbons, Green, Guttery, Inzer, Jemison, Jones of Fayette, Jones of Lauderdale, Kimball, Leonard, Lewis, McClellan, McKennie, Owens, Potter, Rives, Sanford, Sheets, Sheffield Silver, Slaughter, Smith of Henry, Steadham, Steele, Taylor, Watkins, Webb, Winston, Yancey.—42.

The resolution was declared adopted.

A message was received from the Governor, communicating sundry reports from Commissioners heretofore sent to other States.

Mr. Dargan moved to lay on the table, which was carried.

Mr. Dargan, from the Committee on Foreign Relations, made the following report on an Ordinance referred to the Committee, for the prohibition of the slave trade:

Mr. President:—Your Committee, to whom was referred "an Ordinance to prohibit the introduction into the State of Alabama, of slaves not born, or held to service in any one of the slave States of North America," have had the same under consideration, and have instructed me to report, that the power to regulate, or prohibit the foreign slave trade, will more properly belong to the Confederacy of the Southern Slaveholding States, when formed, than to any one single State, and they believe this power will be assumed and exercised by said government. But it is the opinion of your Committee, that such trade ought to be prohibited, and by way of expressing such opinion, and to provide in the meantime, against the opening of such trade, the Commiitee have instructed me to report the following Ordinance upon the subject, and to ask that the same be adopted by this Convention.

The Ordinance reported by the Committe, is an Ordinance entitled "An Ordinance to prohibit the Foreign Slave trade."

Mr. Dargan moved a concurrence in the report, and the adoption of the Ordinance.

Mr. Dowdell moved to print 200 copies, and make it the special order for Thursday next, at 11 o'clock, A. M., which was carried.

Mr. Jemison moved the suspension of the regular order of business to enable him to make a report; agreed to.

Mr. Jemison made the following report:

The Joint Committee on the part of the two Houses of the General Assembly, and this Convention to confer with each other, to ascertain and fix the respective duties of this Convention; and the General Assembly, having discharged that duty, instruct me to report, that it is understood and agreed between said Committees, representing the General Assembly, and the Committee representing this Convention, that the action of the latter body shall henceforth be confined to such changes in the organic law of the State as may be demanded by present exigences, and that with this exception, and such Ordinances as have already been adopted by the Convention, the whole business of legislation will be left to the General Assembly.

R. JEMISON, Jr.
Chairman, on the part of Convention.
E. C. BULLOCK.
On part of Senate.
SAM'L. F. RICE.
On part of House of Representatives.

And the report was laid on the table.

Mr. Jemison moved to adjourn, which was lost.

Mr. Yancey moved to suspend the regular order of business to take up and consider his resolution in regard to the pay of members and officers of the Convention, which was pending yesterday when the Convention adjourned, which was carried.

The question was then upon the passage of the resolution, and the yeas and nays being called for, resulted as follows:

Yeas—Messrs. Allen, Baker of Barbour, Baker of Russell, Beck, Brasher, Catterlin, Clarke of Marengo, Clarke of Lawrence, Coffey, Coman, Crawford, Daniel, Dargan, Davis of Madison, Davis of Pickens, Edwards, Franklin, Green, Guttery, Hawkins, Herndon, Hood, Jewett, Jones of Fayette, Jones of Lauderdale, Kimball, Lewis, Love, McClanahan, McClellan, Owens, Potter, Sanford, Sheets, Sheffield, Shortridge, Smith of Henry, Steadham, Steele, Stone, Timberlake, Watkins, Watts, Williamson, Wilson, Yancey.—46.

Nays—Messrs. President, Bailey, Barnes, Blue, Bolling, Coleman, Creech, Crook, Curtis, Davis of Covington, Dowdell, Earnest, Ford, Forrester, Foster, Gay, Gibbons, Henderson of Macon, Henderson of Pike, Howard, Inzer, Johnson, McPherson, McKennie, Posey, Ralls, Rives, Ryan, Smith of Tuscaloosa, Webb, Whatley, Wood.—32.

The resolution was adopted.

Mr. Earnest, from the Committee on Enrollment, made the following report:

The Committee on Enrollment, to whom was referred the engrossed Ordinance resolutions, &c., withdrawing the State of Alabama from the Union of the United States, and who reported the Ordinance as correctly enrolled on parchment, in pursuance of resolutions, have instructed me to make this supplemental report. That a copy of said Ordinance, on parchment, written with indelible ink, by Joseph B. Goode, of Montgomery, has been furnished the Committee, which, being a neat and correct copy of said Ordinance, they recommend that this copy be adopted as the original, and filed in the office of the Secretary of State, and that the former copy of said Ordinance as signed, be filed in the Historic Society of the State of Alabama, at the University of said State at Tuscaloosa.

W. S. EARNEST.
Chairman.

Resolved, that this Convention deeply appreciates the spirit of real patriotism and disinterestedness, that induced Mr. Joseph B. Goode of Montgomery, to voluntarily engross upon parchment the Ordinance of Secession, as adopted on the 11th of January, 1861.

Resolved further, That this Convention, hereby tender its most hearty thanks to Mr. Goode, for the very elegant and creditable manner in which he has engrossed the Ordinance, it being, (as near as circumstances would admit,) a perfect specimen of penmanship.

Upon motion, the report was concurred in, and the resolutions adopted.

And on motion, the Convention adjourned until 10 o'clock to-morrow.

OPEN SESSION.

MONTGOMERY, ALA., January 23, 1861.

The Convention met at 10 o'clock, A. M., pursuant to adjournment.

Prayer by Rev. Mr. Crumpler.

Mr. Bulger asked leave to record his vote on Mr. Yancey's resolution, adopted yesterday, in reference to pay of members of Convention, and leave being given, voted no.

Mr. Sheets asked leave to change his vote on the same, and leave being granted, voted no.

Mr. Winston asked leave to record his vote on the same, and leave being given, voted yes.

Mr. Crumpler asked to record his vote on the same, and leave being given, voted no.

Mr. Taylor asked leave to record his vote on the same, and leave being given, voted no.

Mr. Catterlin asked leave for a suspension of the order of business to enable him to offer a resolution upon the subject of adjournment, and it was suspended.

Mr. Catterlin then offered the following resolution:

Resolved, That this Convention will adjourn on Saturday, at 2 o'clock, P. M., and stand adjourned until the first Monday in March next.

Mr. Dowdell moved to amend by striking out all after the word "resolved," and subsbituting the following: "that when this Convention shall adjourn on Friday next, it shall adjourn to meet again on Monday, 12 o'clock, M., the 25th day of February next.

Mr. Earnest moved to amend the amendment as follows: Strike out Satuday, and insert Monday, — day of March.

Mr. Coleman moved by substituting the following for the amended amendment:

Resolved, That when this Convention adjourn it stand adjourned until convened by the proclamation of the Governor.

A motion was made to lay the whole subject on the table; and the question being upon the motion to lay on the table—

Mr. Catterlin asked and obtained leave to withdraw, which he did, and the whole subject was withdrawn from the further consideration of the Convention.

Mr. Dowdell asked a suspension of the rules, to offer the following resolution:

Resolved, That it is the opinion of this Convention that the navigation of the Mississippi river should remain free to the people of the States and Territories living upon it and its tributaries, and no further obstruction to the enjoyment of this privilege should be offered except for purposes of protection against a belliggerent and an unfriendly people.

There was a call of the committees.

Mr. Gilchrist, chairman of Committee on Foreign Relations, made the following report:

The Committee on Foreign Relations, to whom was referred a resolution instructing them to inquire into the expediency of sending Commissioners to the Territories of New Mexico and Arizona, for the purpose of securing the annexation of these Territaries to a Southern Confederacy, as new States, have had the same under consideration, and instructed me to report that they deem it inexpedient for this Convention to take any action thereon, and the same more appropriately belongs to the Southern Convention when it meets.

J. G. GILCHRIST, Chairman.

Upon motion the report was concurred in.

Mr. Jewett, from the Committee on Enrollment, made the following report:

The Committee on Enrollment have instructed me to report to the Convention that the original ordinances as passed in the following stated cases, to-wit:

An ordinance to make provisional postal arrangements in Alabama;

An ordinance to change the oath of office in this State;

An ordinance in relation to the Collector of the port of Mobile;

An ordinance for the purchase of provisions;

An ordinance for the issuance of State bonds;

An ordinance to provide for the military defense of the State;

Have been carefully compared with the engrossed copies of the same, and the latter have been found in all respects correct and accurate.

O. S. JEWETT, Chairman.

The report was concurred in.

Mr. Clemens, Chairman of the Committee on Military Affairs, reported an ordinance entitled an ordinance to reorganize the militia of the State of Alabama.

Mr. Bulger offered the following amendment:

Provided, That the State of Alabama shall pay to the officers whose commissions are abrogated by the foregoing ordinance a fair compensation for their uniforms now owned by them, to be ascertained by the Adjutant General through such agent as he may appoint.

Mr. Ketchum moved to lay the amendment on the table, and the motion was carried.

Mr. Dargan moved to lay the ordinance and report on the table, and make them the special order for Friday, at 12 M.

Mr. Ketchum moved to amend so as to refer to the Committee on Printing.

Mr. Dargan withdrew his motion.

The question was now upon the adoption of the ordinance, and it was adopted.

Mr. Clemens, chairman of the Committee on Military Affairs, reported an ordinance entitled an ordinance to authorize colonels of volunteer regiments to appoint their own staff officers.

Mr. Dargan moved to lay on the table, and make it the special order for to-morrow at 12 M. Carried.

Mr. Clemens, chairman of the Committee on Military Affairs, reported an ordinance entitled an ordinance to provide for the removal of the arms and munitions of war at Mt. Vernon, in the State of Alabama to a place or places of greater security.

Referred to Printing Committee, which was instructed to print two hundred copies.

Mr. Watts, chairman of Committee on the Judiciary and Internal Relations, to which was referred the ordinance in relation to the collection of debts, etc., have had the same under consideration, and have instructed me to report the accompanying ordinance, and recommend its adoption as a substitute for the one referred:

Be it ordained by the people of Alabama in convention assembled, That full power to confiscate property belonging to enemies at war with the State of Alabama is hereby invested in the General Assembly of this State, and the power to suspend the collection of debts and all obligations to pay money due or owing to persons artificial or natural in the non-slaveholding States of the United States of America may be likewise exercised by the General Assembly of this State, in any manner they may see proper, any provision in the constitution of the State to the contrary notwithstanding.

Mr. Shortridge moved to refer report and ordinance to the Committee on Printing, and make it the special order for Friday, 12 M.

The hour for a special order, 12 M., having arrived,

Mr. Watts moved to suspend special order, to dispose of the business before the Convention, which was carried.

Mr. Lewis offered the following resolution:

Resolved, That the ordinance and amendment now before the Convention be referred to the Committee on the Judiciary, with instructions to report an ordinance giving the Legislature the war-making power, until the formatio of a Southern Confederacy.

Mr. Cochran moved to lay the whole matter on the table, but withdrew the motion to enable Mr. Coleman to offer the following:

Be it ordained, etc., That the collection by law of any and all debts due by citizens of non-slaveholding States which have passed "Personal Liberty" bills, or tendered aid to the General Government to coerce a seceding State, be suspended for nine months.

The question being on Mr. Lewis's motion to re-commit, it was carried.

Mr. Yancey moved to suspend ~~the~~ order of business, to move to suspend the regular order, which was carried; and then a motion to suspend was carried.

Mr. Jemison moved to suspend, to make ~~a~~ report from the Committee on Finance. Carried.

Mr. Jemison, Chairman of Committee on Finance and Commerce, reported as follows:

The committee to whom was referred a resolution concerning the Collector of the Port of Mobile, and Receivers of Public Money at the several land offices in this

State, have had the same under consideration, and instruct me to report, that so much of the resolution as pertains to the Collector of the Port of Mobile has been superceded by the action of this Convention, and that so much as relates to the land offices belongs more properly to the Committee on Public Lands, to which your committee recommend its reference, and ask that this committee be discharged from further consideration of the subject.

R. JEMISON, Chairman.

The report was concurred in.

The Convention then took up the regular order, and proceeded to the consideration of "an Ordinance, supplemental to an Ordinance heretofore passed, in reference to the Custom House in Mobile.

Mr. Bragg moved to amend, by inserting after the word "Convention" in 6th line of section 4, the words "or the Governor of the State." Amendment adopted.

Mr. Bragg moved to amend further, by striking out the words "the" and "States" in the 5th line of section 7, and inserting the following: "and the usages in regard to foreign invoices;" which was adopted.

Mr. Watts moved to amend by inserting between the words "the" and "States," in the 5th line of Section 1, the word "slaveholding."

Mr. Stone moved to lay Mr. Watts's amendment on the table, and the yeas and nays being called, resulted as follows:

Yeas—Messrs. President, Allen, Bailey, Baker of Barbour, Barclay, Barnes, Beck, Blue, Bragg, Brasher, Clarke of Marengo, Clark of Lawrence, Cochran, Coffey, Coman, Crook, Crumpler, Daniel, Dargan, Dowdell, Edwards, Foster, Franklin, Gibbons, Gilchrist, Green, Herndon, Hood, Jewett, Jones of Lauderdale, Johnson, Ketchum, Lewis, McClanahan, McKinnie, Morgan, Potter, Ralls, Rives, Ryan, Sanford, Sheets, Shortridge, Silver, Smith of Tuscaloosa, Starke, Steadham, Stone, Timberlake, Watkins, Webb, Whatley, Williamson, Yancey, Yelverton.—55.

Nays—Messrs. Baker of Russell, Bolling, Catterlin, Creech, Curtis, Davis of Covington, Hawkins, Howard, Kimball, Love, McPherson, Owens, Slaughter, of Smith Henry, Watts,—15.

The amendment was lost.

The question was now upon the adoption of the Ordinance, and it was adopted.

Mr. Yancey gave notice that he would move to-morrow the following:

Resolved, That the rule that when this Convention adjourns on each day hereafter, it shall adjourn to meet again at 10 o'clock A. M. and shall adjourn without motion, at 2 o'clock P. M., be rescinded: and hereafter said Convention shall adjourn at 2 o'clock P. M. without motion, to meet again at 7½ o'clock P. M., and when it adjourns, it shall be to meet again at 10 o'clock A. M. next day.

Mr. Ketchum offered the following resolution:

Resolved, That the Committee on Printing be instructed to have printed for the use of the Convention, 500 copies each of the ordinances reported by the chairman of the Committee on Military Affairs, and adopted by the Convention, entitled, "an Ordinance to provide for the military defence of the State," and "an Ordinance to provide for the re-organization of the militia of the State."

The resolution was adopted.

Mr. Yancey moved that a copy of the report of the Committee of Thirteen, with the names of the Deputies elected by this body in pursuance thereof, be forwarded by the President to the Governor of each of the slaveholding States. Adopted.

Mr. Watts moved to take up an ordinance entitled "an Ordinance to preserve the laws of Alabama, and such offices, rights and remedies, as are consistent with the Ordinance of Secession, and with other ordinances adopted by this Convention," and the Convention proceeded to the consideration of the same.

Mr. Webb moved to amend, by adding between the words "the" and "United States," the words, "Congress of the," and the amendment was adopted.

The question now being upon the adoption of the ordinance as amended, it was adopted.

On motion, the Convention adjourned.

OPEN SESSION.

MONTGOMERY ALA., January 24, 1861.

The Convention met pursuant to adjournment.

Prayer, by Rev. Mr. Ralls.

Mr. Webb, by leave, offered the following preamble and resolutions:

Whereas the corps of Cadets composed of the students of the University of Alabama under the command of Col. Huse, have, by authority of the Governor, paraded themselves at the Capitol of the State, in order that the Representatives of the people may have some practicable knowledge of the operation and effect of the law of the last session of the General Assembly of the State, establishing a military department of the University, and judge of the future usefulness and efficiency of the corps, in the event their services should be needed by the State.

Resolved, That a committee of three be appointed to act in concert with a joint committee of the General Assembly, to make such arrangements for the reception of the officers and corps, and for ascertaining in such mode as they may deem best, their progress in military knowledge.

Resolved, That a copy of these resolutions, be presented by the Secretary of this Convention to the President of the Senate and the Speaker of the House of the General Assembly of the State.

The resolution was adopted, and the President appointed on the Committee, on the part of the Convention, Messrs. Webb, Clemens, and Shortridge.

CALL OF COMMITTEES.

The regular call of committees was had.

Mr. Jemison, from the Committee on Finance and Commerce, reported an ordinance entitled, "An ordinance concerning foreign coin."

Mr. Watts moved to amend, by striking out the words "of force in" and insert, "adopted as the laws of."

Mr. Jemison accepted the amendment.

The question being upon the adoption of the Ordinance, it was carried.

Mr. Cochran, Chairman of the Committee on the Constitution, reported various amendments and changes of the Constitution of the State. It was agreed that the Convention would act upon each item of the report as it was presented.

The first proposed amendment is as follows:

"No special law shall be enacted for the benefit of individuals or private corporations, in cases which are provided for by a general law, or when the relief sought can be given by any court of this State."

The question being upon the adoption of the amendment, it was carried and declared to be a part of the Constitution of the State.

The next amendment reported, was in these words:

"The General Assembly shall meet annually, on such day as may be provided by law, and may continue in session not more than thirty days. The next regular session of the General Asembly, shall commence on the second Monday in November, 1861."

The question being upon the adoption of the amendment, it was carried, and declared to be a part of the Constitution.

Mr. Morgan moved that the two amendments just passed be engrossed, and sent forthwith to the Senate and House of Representatives; which was carried.

The committee also reported "an Ordinance to repeal an Ordinance therein named," as follows:

Be it ordained by the people of the State of Alabama in Convention assembled, That an ordinance adopted by the people of this State, in Convention at Huntsville, on the second day of August, one thousand eight hundred and nineteen, disclaiming forever all right to the waste or unappropriated lands lying within this State, is hereby repealed.

Mr. Watts made a motion to print the report, but withdrew it temporarily; and the foregoing repealing ordinance was passed over for the present.

Mr. Dargan, misunderstanding the report of the committee, offered an amendment, but withdrew it.

Mr. Cochran, chairman of the committee, proceeded to read the report:

The Committee on the Constitution, to whom was referred the accompanying resolutions and proposed amendments to the Constitution, have had the same under consideration, and instruct me to report—

Article I—Sec. 19. That it is inexpedient to adopt the proposed amendment.

The proposed amendment was considered, and the report of the committee was concurred in.

Art. III—Sec. 3. They recommend that all of said section be stricken out, and the following be inserted in lieu thereof: The Representatives shall be elected every two years on the first Monday in August, until otherwise directed by law.

The report was concurred in, and the amendment adopted.

Art. III—Sec. 4. They report adversely to the proposed amendment. They, however, recommend that the said section be amended by striking out the "United States," and inserting in lieu thereof the words "State of Alabama."

The report was concurred in, and the amendment adopted.

Message from the House of Representatives.

House of Representatives,
January 24, 1861.

Mr. President:

The House of Representatives having adopted a similar resolution to that which was contained in the communication from your body to the House, relating to the corps of Cadets from the University of Alabama, now present at the capital of the State, request me to communicate to your body that they have appointed Messrs. Hale, Tait of Wilcox, and Irby, as the committee on the part of the House of Representatives, to make such arrangements for the reception of the corps as they may think proper.

S. B. BREWER,
Ass't Clerk of House of Representatives.

Laid on the table.

On motion, the communication was laid on the table.

Mr. Clarke of Lawrence moved to refer the whole matter of amendments to the Constitution, to the Committee on Printing, to print 200 copies of the whole report, which motion he temporarily withdrew.

The hour of 12 o'clock having arrived, the special order, "the Ordinance in relation to Colonels of Volunteer Regiments appointing their own staff officers, &c.," was on motion of Mr. Whatley, postponed temporarily.

And the committee procedeed with their report.

Art. III—Sec. 5, They recommend that Sec. 5 be stricken out, and that the proposed amendment be adopted and inserted therein, as follows:

Every white male person of the age of twenty one years or upwards, who shall be a citizen of this State, and shall have resided therein one year next preceding an election, and the last three months within a county city or town, in which he offers to vote, shall be deemed a qualified elector, but no elector shall be entitled to vote except in the county city or town "entitled to separate representation," in which he may reside at the time of the election.

The report of the committee was concurred in, and the amendment adopted.

Art. III—Sec. 12. They recommend that Sec. 12 be stricken out, and that the proposed amendment be adopted, and inserted therein as follows.

Art. III—Sec. 12. Senators shall be chosen by the qualified electors, for the term of four years, at the same time, and in the same manner, and at the places where they may vote for members of the House of Representatives; and no person shall be a Senator, unless he be a white man, a citizen of the State, and an inhabitant thereof two years next preceding his election, and the last year thereof a resident of the district for which he shall be chosen; and shall have attained to the age of twenty-seven years.

The report of the committee was concurred in, and the amendment adopted.

Art. III—Sec. 26. They recommend that Sec. 26 be stricken out, and that the following be inserted in lieu thereof.

No person holding any lucrative office under this State—the office of postmaster, officers in the militia to which there is attached no annual salary, justice of the peace, commissioner of the court of county commissioners, notary public or commissioner of deeds excepted—shall be elligible to the General Assembly of this State.

Mr. Coleman moved to add or "other power," to come after the words "this State," in first line, which was carried.

Mr. Shortridge offered to amend by inserting at the end of the section as proposed to be amended, the words, "and no person holding any lucrative office under any other power." Mr. Shortridge subsequently withdrew his amendment, and the report of the committee, as amended, was concurred in and the amendment adopted.

Mr. Yancey, by leave, called up his resolutions as to adjournment, notice of which he had given on yesterday, and it being read,

Mr. Ralls proposed an amendment as follows: which was lost.

Resolved, That the following be the order observed for the future "meeting and adjournment" of this body. To wit: meet each morning at 9 instead of 10 o'clock, adjourn at 2 P. M., to meet again at 4 P. M.

RALLS.

Mr. Johnson offered an amendment which the Chair ruled not in order.

Message from the Senate.

A Message was received from the Senate by Mr. Micah Taul, Secretary, as follows:

SENATE, Jan. 24.

Mr. President:

The Senate concurs in the resolution of the Convention proposing that a committee be appointed to act with a joint committee of the General Assembly, for the purpose of making arrangements for the reception of the corps of State Cadets under the Command of Col. Hughes. Messrs. Toulmin, McIntyre and Jackson, are the Committee on the part of the Senate.

M. TAUL, Secretary.

To the President of the State Convention.

On motion the communication was laid on the table.

Mr. Kimball moved to lay Mr. Yancey's resolution on he table. Lost.

Mr. Kimball offered an amendment, as follows:

That this Convention meet daily at 10 o'clock A. M., and adjourn at 4 P. M., until otherwise ordered by this Convention.

Mr. Jones of Lauderdale raised the point of order that the amendment was not in order.

Mr. President decided the amendment was in order.

Mr. Whatley moved to lay Mr. Kimball's amendment on the table, which was lost.

Mr. Kimball's amendment was amended and adopted, and the vote being reconsidered Mr. Kimball offered his resolution as a substitute for Mr. Yancey's.

Mr. Yancey raised the point offered, that the substitute was not in order, and the chair overuled the point offered.

Mr. Morgan raised the point of order that the substitute was not in order because it does not propose to rescind the original motion at all. The chair overruled the point offered.

Mr. Kimball's resolution was adopted.

The consideration of the committee report was renewed.

Art. III. They recommend the following be adopted as additional sections to said article:

Art. III -Sec. 30. Private property shall not be taken for private use, or for the use of corporations, private or quasi public, without the consent of the owner; but the right of way may be secured by law to persons and corporations over the lands of any person or corporation, provided just compensation is made to the owner of such land.

Sec. 31. No power to levy taxes shall be delegated to individuals or private corporations.

Sec. 32. Taxes shall not be levied for the benefit of individuals or corporations, private or quasi public, without the consent of the tax-payers.

The report of the committee was concurred in, and the amendment adopted of sections 30, 31 and 32, of article 3 of the constitution, and to postpone the consideration until to-morrow.

Mr. Morgan moved to instruct the Committee on Printing to print two hundred copies of sections 30, 31 and 32 of article 3, as reported by the committee and adopted, which was agreed to.

The consideration of the committee's report was resumed.

Art. IV—Sec. 4. They recommend that this section be amended as follows: Strike out the following words: "native citizen of the United States," and insert in lieu thereef "citizen of the State of Alabama, and native of one of the States or Territories lately styled the United States of America."

The report was concurred in, and the amendment was adopted.

Art. IV—Sec. 6. They recommend the adoption of the proposed amendment, as follows:

Sec. 6. He shall be commander-in-chief of the army and navy of this State, excepting when acting with any other power, in which case the General Assembly shall fix his rank.

And further to amend by inserting after the word "navy" the words "and militia."

The report of the committee was concurred in, and the amendment adopted.

Art. IV—Sec. 12. They recommend that this section be amended by striking out all after the word "officially."

The report of the committee was concurred in and the amendment adopted.

Art. IV—Sec. 19. They recommend that this section be amended by inserting at the end thereof the following: If there is no President ~~of~~ the Senate or Speaker of the House of Representatives, the Secretary of State shall exercise all the duties and powers appertaining to the office of Governor until the office of Governor is filled as provided by this constitution.

The report was concurred in and amendment adopted.

Art. IV—Sec. 22. They recommend the adoption of the proposed amendment, viz: Strike out "the United States."

The report was concurred in, and the amendment adopted.

Art. IV—Sec. 23. They recommend the adoption of the proposed amendment, viz: Strike out "annually" and insert "biennially."

The report was concurred in and the amendment adopted.

Art. V—Sec. 2. It is inexpedient to adopt the proposed amendment. An ordinance has already been reported by the Committee on the Judiciary and Internal Affairs, which is now pending, making provisions for the same.

Sec. 11. Report concurred in.

Art. V. They recommend the adoption of the proposed amendment, viz: Striking out "the United States."

Report concurred in and amendment adopted.

Art. VI. They recommend that it is inexpedient to adopt the proposed amendment to be added to the general provisions. An ordinance has been reported from the Committee on the Judiciary and adopted, providing for the same. Report concurred in.

Art. VI—Sec. 1. This has been provided for by an ordinance heretofore reported by this committee and adopted by the Convention. Report concurred in.

Art. VI—Sec. 11. They recommend thst this section be amended by striking out the words " or of the United States," which was amended by substitute which was offered by Mr. Watkins, as follows: Strike out section 11, article 6, and insert "temporary absence from the State shall not cause a forfeiture of a residence once obtained. The substitute was adopted.

Art. VI—Sec. 12. They recommend that the proposed amendment be adopted, viz: No member or delegate to any Congress of other State or power, nor person holding any office of profit or trust under any foreign power, shall hold or exercise any office of profit under this State.

And that the same be further amended by adding, provided, that this section does not apply to any deputy, delegate, or commissioner, elected by this convention.

The report was concurred in, and the amendment adopted.

Art. VI—Sec. 13. They recommend that this section be amended by striking out all after the word "chancery."

The report was concurred in and the amendment adopted.

Art. VI—Sec. 22. They recommend that this section be amended by striking out the words "by a cession from the United States."

The report was concurred in, and the amendment adopted.

Education.—They recommend that this provision be amended as follows: by striking out in the third line, after the word "as," these words: "are or hereafter may be," and insert in lieu thereof the words "have been." Also, further amend by striking out the words "or may be hereafter," where the same may occur in that paragraph thereafter.

The amendment was adopted as reported.

Slaves.—Sec. 1. They recommend to amend by striking out all of said section and inserting in lieu thereof the following: "No slave shall be emancipated in this State by any act to take effect in this State or in any other country."

This amendment was informally passed over for the the present.

Sec. 2.—The General Assembly shall not prevent emigrants from this State who may be entitled to become citizens thereof, and who may emigrate to this State with the bona fide intention of becoming citizens thereof, from bringing with them slaves of African descent, which are the bona fide property of such emigrants; provided, such slaves are brought from one of the United States of the late American Union.

Sec. 3. Laws may be enacted to prohibit the introduction into this State of slaves who have committed high crimes in other States or Territories, and to regulate or prevent the introduction of slaves into this State as merchandise.

Sec. 4. The humane treatment of slaves shall be secured by law.

Strike out the words "section two" and "section three," and insert in lieu thereof "section five" and "section six."

Sec. 7. Free persons of African descent having as much as one-eighth negro blood may be reduced to slavery by law, unless such person shall remove from this State within a period prescribed by law. Nothing herein contained shall affect the rights of persons secured by treaty.

Mr. Jemison moved that the portion of the committee's report relating to the subject of slavery be printed. Carried.

Mr. Shortridge moved to reconsider the vote on the amendment to section 22 of article VI, for the purpose of striking out the word "cession" and inserting a more appropriate word. Carried.

Mr. Dowdell moved to strike out the word "cession" and insert "acquisition" where it occurs. Carried, and the section as amended was adopted.

The hour for the special order having arrived, Mr. Jemison moved to postpone the special order, to enable Mr. Watts to take up joint resolution of Committee of General Assembly and Convention, etc.

Mr. Dowdell moved to postpone all action on the report until Saturday, at 12 o'clock. Carried.

Mr. Morgan introduced a resolution to compensate P. H. Brittan, Secretary of State, for carrying out ordinances with reference to postal affairs. Referred to Committee on Public Expenditures.

Mr. Yancey offered a resolution in relation to the navigation of the Mississippi river, and moved its adoption.

[This resolution will be found as amended and adopted in another portion of the Journal.—Sec'y.]

Mr. Dowdell offered a substitute for Mr. Yancey's resolution.

Resolved, That it is the opinion of this Convention, that the navigation of the Mississippi river should remain free to the people of the States and Territories living upon it and its tributaries; and no further obstruction to the enjoyment of this privelege, should be offered except for purposes of protection against a belligerent and an unfriendly people, or for laying such tonnage duties as may be necessary to keep open and make safe the navigation of the mouth of said river.

A motion was made to adjourn, and lost.

Mr. Smith of Tuscaloosa, moved to lay both the resolutions on the table and print them, and make a special order for Saturday 26th January. Lost.—Yeas 5; nays 52.

Yeas.—Messrs. President, Allen, Franklin, Sheets, Smith of Tuscaloosa.

Nays—Messrs. Bailey, Barclay, Beck, Blue, Bolling, Catterlin, Clarke of Marengo, Clarke of Lawrence, Coffey, Coleman, Creech, Curtis, Davis of Covington, Dowdell, Earnest, Ford, Foster, Gibbons, Hawkins, Herndon, Howard, Inzer, Jones of Lauderdale, Johnson, Kimball, Ketchum, Lewis, Love, McClanahan, McPherson, McKinnie, Morgan, Owens, Posey, Potter, Rives, Sanford, Sheffield Shortridge, Silver, Slaughter, Smith of Henry, Steadham, Timberlake, Watts, Webb, Whatley, Williamson, Winston, Yancey, Yelverton.

The question being on the adoption of the substitute, the yeas and nays were demanded, and pending the call, the hour of 4 o'clock arrived, and under the rules the Convention stood adjourned until 10 o'clock to-morrow.

Friday, January 25 1861.

The Convention met at 4 o'clock pursuant to adjournment.

There was prayer by the Rev. Mr. Samuel Henderson.

Mr. Cochran moved to postpone the reading of the Journal, for the reason that the document from which to make it up, had been placed in the hands of the printers by the order of the Convention. Carried; and the reading of the Journal was dispensed with.

CALL OF COMMITTEES.

Mr. Morgan, from the Committee on the Constitution, made the following report by leave:

The Committee on the Constitution have instructed me to make a further report.

Art.IV—Sec. 8. Amend the 8th section of the 4th article, by striking out the third amendment adopted in 1846.

And insert the word "annual" between the words "next" and "meetings."

The question being upon the adoption of the amendment, it was adopted and declared to be a part of the Constitution as amended.

Mr. Jemison moved to reconsider the vote taken yesterday upon changing the Constitution so as to limit the session of the Legislature to thirty days, and to postpone its consideration until next Monday. Carried.

Mr. Webb, by leave, made a report from the Joint Committee of the Convention and General Assembly, of the programe of reception of the corps of Cadets.

The Joint Committee of the Convention and General Assembly, beg leave to report, that they have waited on the officers and corps of Cadets of the University of Alabama, now on a visit to the Capital, and report the following arrangement for their reception on the part of the State, viz:

The Convention, General Assembly, Governor, and other officers of State, will receive the Alabama corps of Cadets, in front of the steps of the Capitol to-day at 12 o,clock M., when an address will be delivered by the Speaker of the House of Representatives, and replies by officers of the corps. After which the corps will be reviewed by the Governor and presiding officers of the Convention and General Assembly; and a company or battalion drill will be had.

J. D. WEBB, Chairman of Committee.

Mr. Morgan, by leave, offered the following resolution:

Resolved, That the Committee on Imposts and Duties, be instructed to report an ordinance to continue the City of Selma as a port of entry provisionally, and to provide for the collection of customs at that port.

The resolution was adopted.

The Convention proceeded with the business under consideration when it adjourned yesterday, which was Mr. Yancey's resolution with pending amendment upon the subject of the navigation of the Mississippi.

Mr. Smith of Tuscaloosa offered the following amendment, coupled with a motion to postpone:

Resolved, That in the opinion of this Convention, the navigation of all the rivers within the limits of the United States, as the Union lately existed, ought to be and remain open and free to the citizens of all the States which composed the said Union.

Resolved, That in the opinion of this Convention, the system of free trade, as it existed between the said States before the dissolution of the Union, be and remain as it was before the dissolution.

Mr. Yancey moved to lay Mr. Smith's amendment on the table.

Yeas—Messrs. President, Bailey, Baker of Barbour, Barnes, Beck, Blue, Bolling, Bragg, Catterlin, Clark of

Marengo, Clemens, Cochran, Coffey, Coleman, Coman, Crawford, Creech, Crook, Crumpler, Curtis, Daniel, Dargan, Davis of Covington, Dowdell, Foster, Gibbons, Gilchrist, Green, Hawkins, Henderson of Macon, Henderson of Pike, Herndon, Howard, Inzer, Jewett, Ketchum, Lewis, Love, McClanahan, McPherson, McKinnie, Morgan, Posey, Ralls, Rives, Ryan, Shortridge, Silver, Smith of Henry, Starke, Stone, Timberlake, Watts, Webb Whatley, Williamson, Wood, Yancey, Yelverton.—59.

Nays—Messrs. Allen, Barclay, Brasher, Bulger, Clark of Lawrence, Edwards, Forrester, Franklin, Gay, Guttery, Jones of Lauderdale, Johnson, Kimball, Leonard, Potter, Russell, Sanford, Sheets, Smith of Tuscaloosa, Steadham, Steele, Taylor, Watkins, Whitlock, Wilson, Winston—27.

Mr. Lewis, by leave, offered an ordinance entitled an ordinance to make provisional arrangements concerning patents.

Mr. Lewis moved its adoption.

Mr. Shortridge moved its reference to the Judiciary Committee.

Mr. Lewis withdrew his motion to adopt.

The question being upon reference, it was referred.

Mr. Jemison, by leave, offered the following resolution:

Resolved, That the Committee on the Judiciary and Internal Relations be instructed to enquire into the expediency and propriety of discriminating in our import duties, and adopting other retaliatory measures against the State of New York and such other States as have or may adopt or recommend measures unfriendly, insulting, or hostile to the seceding States.

The consideration of the resolution concerning the navigation of the Mississippi was resumed.

The President announced the question to be on Mr. Dowdell's amendment, and Mr. Yancey accepted it.

The resolution as amended and now agreed upon, read:

Whereas, The navigation of the Mississippi river is a question in which several Northern States and Southern States yet in the Federal Union, are deeply interested;

and whereas the people of the State of Louisiana are about to consider of the propriety of seceding from said Union; and whereas, this is a subject which will properly come under the consideration of the Convention of seceding States to meet on the fourth day of February—

Be it resolved, That it is the deliberate sense of this Convention that the navigation of the Mississippi river, to the people of the States and Territories of the Federal Union upon it and its tributaries, should remain free, and that no restriction upon this privilege should be made, further than may be necessary for tonnage duties to keep open and make safe the navigation of the mouth of said river, and for purposes of protection against a belligerent and unfriendly people.

The question being now upon the adoption of the resolution as amended, it was adopted.

Consideration of the special order, the ordinance "to prohibit the African slave trade," upon motion, informally passed over.

Mr. Coleman called up his resolutions offered heretofore, on the 12th January 1861, as follows:

Resolved by the people of the State of Alabama in Convention assembled, That they pledge the power of this State to aid in resisting any attempt upon the part of the Government of the United States of America to invade or coerce any of the seceding States.

Mr. Baker of Barbour offered to amend by inserting after the word "seceding," and before the word "States," the word "slaveholding," which was accepted.

Mr. Coman offered to amend, by adding the following: "Provided such seceding State or States are not averse to entering into a Southern Confederacy, based on the principles of the Federal Constitution."

Mr. Dowdell moved to strike out Mr. Baker's amendment to wit: the word "slaveholding," and it was stricken out.

Mr. Ryan moved to lay Mr. Coman's proviso on the table. Decided not in order.

The question being first on striking out the word "slaveholding," the yeas and nays were called, resulting as follows:

Yeas,—Messrs. Allen, Barclay, Barnes, Beard, Beck, Brasher, Bulger, Catterlin, Clark of Marengo, Clark of Lawrence, Clemens, Cochran, Coffey, Crawford, Creech, Crook, Crumpler, Dargan, Dowdell, Earnest, Edwards, Ford, Forrester, Foster, Franklin, Gay, Gibbons, Gilchrist, Green, Guttery, Hawkins, Henderson of Macon, Hood, Howard, Inzer, Jemison, Jones of Fayette, Jones of Lauderdale, Johnson, Kimball, Leonard, Lewis, McClanahan, Morgan, Posey, Potter, Ralls, Rives, Russell, Ryan, Sanford, Sheets, Sheffield, Silver, Slaughter, Smith of Tuscaloosa, Steadham, Steele, Stone, Taylor, Timberlake, Watkins, Webb, Whitlock, Wilson, Winston, Yancey.—68

Nays—Messrs. President, Bailey, Baker of Barbour, Blue, Bolling, Bragg, Coleman, Coman, Curtis, Daniel, Henderson of Pike, Herndon, Jewett, Love, McPherson, McKinnie, Smith of Henry, Starke, Watts, Whatley, Yelverton. 21.

The proviso was laid on the table.

Mr. Posey moved to take up the African slave trade question.

Message from the House.

Mr. Irby, from the Houfe, announced that the House is now ready to attend to the reception of the Cadets.

The Convention thereupon took a recess, and repaired to the front steps of the Capitol and assisted in the demonstrations according to the programe arranged by the Joint Committee.

The ceremony of the reception over, at the call of the President the House returned to its hall and resumed business.

The President announced the special order—the question of the African slave trade—had precedence.

Mr. Clemens, by leave, offered a resolution in regard to recalling Alabama troops from Pensacola, and moved to refer it to Committee on Military Affairs.

Special order under consideration again. The question was upon concurring in substitute of the committee, proposing it for the original of Mr. Posey, which had been referred to them.

Mr. Posey offered an amendment. Amend the second resolution by adding to the same the words, "not below the grades affecting."

Mr. Webb raised the point offered, stating it to be that the question was upon concurring upon report, and not upon adoption.

The chair remarked that it was substantially the same thing, whatever the technical rule might be, and overruled the point of order and permitted amendment to be offered.

Mr. Jones of Lauderdale offered the following as an amendment:

Resolved, That it is the will of the people of Alabama that the deputies elected by this convention to the Southern Convention, to meet at the city of Montgomery, on the 4th day of February next, to form a Southern Republic, be and they are hereby instructed to insist on the enactment, by said convention, of such restrictions as will effectually prevent the importation of slaves into such Republic from any other place or country other than the slaveholding States of the late United States of America.

Mr. Yancey raised a point of order, and stated it thus: The amendment is incongruous, because the subject matter reported by the committee is an ordinance to be the supreme law of the land; the amendment is a resolution of instruction. Sustained.

Mr. Jones then offered his resolution as a substitute for the ordinance reported.

Mr. Cochran moved to recommit the whole subject to the committee. Temporarily withdrawn.

Mr. Morgan offered the following preamble as a preface to Mr. Jones's substitute:

"Whereas, The people of Alabama are opposed, on the grounds of public policy, to the reopening of the African slave trade, therefore". It was accepted.

The question was on adoption of substitute proposed by Mr. Jones of Lauderdale.

Mr. Dowdell offered the following amendment: Strike out after the word "prevent," and insert "the reopening of the African slave trade." Accepted.

Pending consideration, the hour of adjournment arrived, and the convention adjourned.

SATURDAY, January 26, 1861.

The Convention met at 10 A. M.

Prayer by Rev. J. L. Cotten.

Mr. Catterlin, by leave, offered the following resolutions:

Resolved, That this convention adjourn on Tuesday, at 2 o'clock P. M., and stand adjourned until March 4, 1861, unless sooner convened by order of the President of this convention, or the Governor of the State, in the absence of the President or a vacancy in his office.

Mr. Whatley moved to amend by striking out all after the word "adjourned," and insert "until called together by the proclamation of the Governor;" which amendment was lost.

And Mr. Catterlin's resolution was adopted as above given.

Mr. Beck asked for a suspension of the regular order of business, in order to allow him to introduce the following resolution:

Resolved, That it is the sense of this convention that in the formation of a government for the seceding States, the whole population of each State, without regard to color, should be taken as the basis of Congressional representatives; and the Secretary of this Convention shall furnish a copy of this resolution to each of our delegates to said convention.

The Convention refused to suspend the regular order of business, in order to allow the resolution to be introduced.

CALL OF COMMITTEES.

Mr. Watts, from Judiciary Committee, moved to take up the ordinance reported by him, to transfer and regulate the jurisdiction and practice of the several federal courts within the limits of the State of Alabama. Motion adopted.

Mr. Gibbons offered two additional sections to the ordinance (sections 11 and 12), which were adopted.

Mr. Watts moved to amend section 10, by striking out of line fourteen the words, "hereby continued in force within," and inserting "adopted as laws of." Carried.

Mr. Dargan also offered an additional section. Adopted, as follows:

Sec. 12. Be it further ordained, That no suit, in which the United States of America is the party plaintiff, against any citizen or citizens of the State of Alabama, shall, by reason of the foregoing ordinance, be transferred to or tried by any of the courts of the State of Alabama; nor shall any suit be brought in the name of the United States of America in any of the courts aforesaid against any citizen or citizens of this State, until otherwise ordered by this Convention or by the General Assembly of the State of Alabama.

The following is one of the additional sections introduced by Mr. Gibbons:

Sec. 11. Be it further ordained, That all cases of appeal or writs of error, from the federal courts of this State, or from the Supreme Court of the State of Alabama, to the Supreme Court of the United States, and now pending in said court, may be proceeded with in said court, to a final decision, in the same manner as if the State of Alabama had not seceded from the Union; and on the final decision of the said cases, the certificates of affirmance or reversal may be sent or handed over to the clerk of the Supreme Court of the State of Alabama, or to the clerks of the several Circuit Courts in the counties in which said federal courts had been held, according to the fact, as to the courts whence the appeal or writ of error was taken; and the said Circuit Courts shall take cognizance of said cases, and proceed with them in the manner as above provided for the unfinished business now pending in said federal courts of the State of Alabama.

Mr. Morgan proposed to amend the above by proviso, as follows:

Provided, that nothing in this section contained shall be so construed as to affirm the constitutionality of such appeal or writ of error.

Which was accepted by Mr. Gibbons, and the section adopted as a part of the bill reported by the committee.

The other section (12), offered by Mr. Gibbons, was then considered and adopted.

Sec. 13. Be it further ordained, That the federal jurisdiction disposed of in the above and foregoing ordinance shall be exercised by the State courts above named only until the Southern Congress now contemplated shall otherwise dispose of the same.

A motion was made to adopt each section separately. Carried.

Mr. Morgan moved to strike out, in line two, Sec. 1, the words, "delegated by this State so as to form," and insert "forming;" which was carried, and the section, as amended, adopted.

Mr. Morgan moved to add, at the end of Section 2, the words, "as hereinafter provided." Carried, and the section, as amended, adopted.

Mr. Watkins moved to amend Section 3, as follows:

Strike out all of Section 3 between the word "ordained," in the first line, and the word "provided," in the ninth line, and insert in lieu thereof the following, viz: "That the Circuit Court of this State, and the City Court of Mobile, shall have and exercise original jurisdiction in all cases embracing matters of law or of a maritime or admiralty nature, heretofore cognizable in the District or Circuit Courts of the United States by virtue of the Constitution of the United States of America and the laws of Congress passed in conformity therewith, and that the Court of Chancery of this State exercise jurisdiction in all cases of equity heretofore exercised or cognizable in said courts of the United States, under the constitution and laws thereof." The substitute was adopted, and the section, as amended, was adopted.

The hour of 12 M. having come, and the special order being in order,

Mr. Watts moved to suspend the special order, to enable the Convention to proceed with the business in hand, which was carried.

Mr. Herndon moved to pass over Section 4 informally. Carried.

Mr. Herndon moved to strike out, in line seven of Section 5, the word "returned," and insert "executed;" and insert "and returned" in the eighth line of same section, between the words "process" and "to." Carried.

Also, to strike out the word "returned," in line thirteen same section, and insert the word "executed," and to insert "and returned" between the words "aforesaid" and "to;", and it was carried.

Mr. Morgan moved to insert, in line four same section, the words, "books of records, dockets," between the words "the" and "papers." Carried.

Mr. Clark of Marengo moved to insert after the word "aforesaid," in line seven of same section, the words, "except where the United States of America is plaintiff." Carried.

The section, as now amended, was adopted.

Consideration of Section 4 was informally passed over, was resumed, and

Mr. Coleman moved to insert, between the words "Ministers" and "Consuls," in line two, the following: "The Supreme Court of Alabama shall have original and exclusive jurisdiction in such cases, and in cases affecting;" and to strike out the word "and" in the same line. Carried, and the whole section, as amended, adopted.

Section 7 was considered and adopted.

Section 8 being under consideration—

Mr. Clark of Marengo moved to insert in line 6, after the word "courts," "except where the United States of America is plaintiff." Considered; and the section as amended adopted.

Section 9 being next under consideration—

Mr. Watts moved to strike out the word "circuit" in the 13th and 18th lines. Carried.

Mr. Clark of Marengo moved to insert between the words "running" and "shall" the words "except where the United States of America is plaintiff." Carried; and the section as amended adopted.

Section 10 was then considered and adopted.

Mr. Dargan moved to strike out the whole of section 11, which was one of the additional sections offered by Mr. Gibbons.

Mr. Gibbons moved to pass over section 11 informally for the present, and it was done.

Section 12, one of Mr. Gibbons's additional sections, was considered and adopted.

Mr. Yancey moved to reconsider the vote on the adoption of section 6, and the motion was carried; and

Mr. Yancey offered an amendment to come at the end of said sections, as follows: "and said offenses are hereby declared to be offenses against the State of Alabama." Carried; and the section as amended adopted.

The additional section 13, proposed by Mr. Dargan, was then considered and adopted.

Mr. Dargan offered a substitute for section 11, which was amended, and the section so amended was adopted; and then the ordinance as amended as a whole was adopted.

Mr. President announced that he was in receipt of a communication from the Secretary of State of the State of Maryland, acknowledging on the part of the Governor of the State, the receipt of a copy of the Ordinance of Secession forwarded by the President. Ordered to be laid on the table.

Mr. Lewis asked and obtained leave of absence.

The special order then coming up, the Convention proceeded to the consideration of an ordinance entitled an ordinance to authorize colonels of volunteer regiments to appoint their own staff officers. It was read by its title, and adopted.

Mr. Morgan moved to suspend the further consideration of the special order, in order to allow the Committee on Imports and Duties to report. Carried.

Mr. Bragg, chairman of Committee on Imports and Duties, reported an ordinance entitled an ordinance to continue the city of Selma as a port of entry. The ordinance as reported was adopted.

Mr. Coleman moved to suspend all special orders. Carried; and

Mr. Clemens, chairman of Committee on Military Affairs, reported as follows

The Committee on Military Affairs, to whom was reported two resolutions respecting the establishment of an Armory in the State of Alabama, instructed me to return the same with such information as they have collected to the Convention, and recommend that as the subject will probably be taken into consideration by the Southern Convention which will assemble in Montgomery on the 4th day of February next, no action be had upon it by this Convention at the present time; and upon Mr. Clemens's motion, it was laid on the table,

Mr. Clemens, from same committee, made the following report:

The Committee on Military Affairs, to whom was referred a resolution authorizing the Governor of this State to loan a certain amount of arms and munitions of war to the Governor of Florida, have had the same under consideration, and instructed me to report that no action by this convention upon the subject is necessary at the present time; and upon Mr. Clemens's motion, it was laid on the table.

Mr. Whatley moved to take up from the table and consider an ordinance entitled an ordinance concerning citizenship. Carried.

Mr. Dargan moved to postpone the consideration of the whole subject until Monday 12 M. Lost.

Mr. Herndon offered to amend as follows: Insert in section 4, between the words "person" and "who" the words "natives of any of the States or Territories of the United States."

Mr. Beck offered as a substitute for Mr. Herndon's amendment to insert after the word "person," in the first line, "who at the date of the ordinance of secession was a citizen of the United States of America." Accepted by Mr. Herndon.

The hour of 4 P. M. having arrived, Mr. Yancey moved to suspend the rule of adjournment.

Mr. Whatley offered to amend Mr. Yancey's motion as follows:

Resolved, That the rule requiring this House to adjourn at 4 o'clock, and to meet again at 10 o'clock on Monday next, be so far suspended as to allow this Convention after it adjourns at 4 o'clock this evening to meet again to-night at 7 o'clock, to consider the order of the day.

Mr. Bulger moved to lay the amendment on the table, and it was laid on the table.

The question recurring on Mr. Yancey's original motion to suspend the hour of adjournment, it was carried.

A telegraphic despatch from Governor Winston, Commissioner for Alabama to Louisiana, to the Governor, was delivered to the Convention by Mr. Morgan, and read, as follows:

BATON ROUGE, January 26.

Louisiana secedes to-day. All well.

WINSTON.

The question being on the adoption of Mr. Beck's amendment, the yeas and nays were demanded, and the amendment was lost. Yeas 11—nays 54.

Yeas—Messrs. Beck, Clarke of Lawrence, Crawford, Jewett, Johnson, Owens, Potter, Russell, Sheets, Timberlake and Webb.

Nays—Messrs. President, Bailey, Barclay, Barnes, Beard, Blue, Bolling, Brasher, Bulger, Clarke of Marengo, Clemens, Coffey, Coleman, Creech, Crook, Curtis, Davis of Covington, Dowdell, Earnest, Ford, Foster, Franklin, Gibbons, Green, Henderson of Macon, Herndon, Hood, Howard, Inzer, Jones of Fayette, Ketchum, Leonard, Love, McClanahan, McKinnie, Morgan, Ralls, Rives, Ryan, Sanford, Shortridge, Slaughter, Smith of Henry, Smith of Tuscaloosa, Steele, Stone, Watkins, Watts, Whatley, Williamson, Winston, Wood, Yancey and Yelverton.

So the amendment was lost.

Mr. Yancey offered an amendment. Adopted, as follows: Strike out in first line of section two the words "so also shall continue," and insert at the close of said section the words "shall be a citizen thereof."

The 1st, 2d and 3d sections were adopted.

Mr. Watts offered an amendment to the 4th section to the effect that the certificate of the applicant must be recorded in some court of record in this State. Carried.

Mr. Yancey offered an amendment, which was adopted, to insert after the word "person," in the first line, the words "who shall furnish satisfactory evidence of good character;" and

Mr. Morgan offered the following amendment:

Provided, That if such person is not a native of one of the States or Territories of the late American Union, he shall have remained at least three years in one of said States or cities.

The amendment was laid on the table. Yeas 46—nays 18, as follows—

Messrs. President, Bailey, Barclay, Barnes, Beard, Blue, Bolling, Bragg, Brasher, Bulger, Clarke of Marengo, Clemens, Coffey, Coleman, Crawford, Creech, Crook, Curtis, Davis of Covington, Dowdell, Ford, Franklin, Gibbons, Green, Henderson of Macon, Herndon, Hood, Howard, Jewett, Jones of Fayette, Ketchum, McClanahan, McKinney, Owens, Ralls, Rives, Ryan, Sheets, Shortridge, Smith of Henry, Steele, Stone, Watts, Whatley, Winston, Wood and Yancey.

Nays—Messrs. Beck, Clarke of Lawrence, Foster, Inzer, Johnson, Kimball, Leonard, Love, Morgan, Potter, Russell, Sanford, Slaughter, Smith of Tuscaloosa, Timberlake, Watkins and Webb.

Mr. Morgen moved to amend by inserting after the word "applicant," in the seventh line, the words "but not of lower rank than colonel, and a citizen of Alabama." Adopted.

Mr. Timberlake moved to strike out "unless sooner discharged," in the fourth line, which motion was lost.

The question being on adoption of section 4, as amended, the yeas and nays were demanded, and the section was adopted. Yeas 47—nays 16, as follows:

Yeas—Messrs. President, Baily, Barclay, Barnes, Beard, Blue, Bolling, Brasher, Bulger, Clarke of Marengo, Clemens, Coffey, Coleman, Creech, Crook, Curtis, Davis of Covington, Dowdell, Franklin, Gibbons, Greene, Henderson of Macon, Herndon, Hood, Howard, Inzer, Jones of Fayette, Johnson, Ketchum, Leonard, Love, McClanahan, McKinney, Morgan, Ralls, Rives, Ryan, Shortridge, Slaughter, Smith of Henry, Steel, Stone, Watts, Whatley, Winston, Wood and Yancey.

Nays—Messr. Beck, Clarke of Lawrence, Crawford, Ford, Foster, Jewett, Kimball, Owens, Potter, Russell, Sanford, Sheets, Smith of Tuscaloosa, Timberlake, Watkins and Webb.

Mr. Johnson offered the following amendment to the 5th section: Strike out all after the word "State," in the third line, and insert "may be naturalized according to the naturalization laws of this State."

Mr. Ketchum offered the following as a substitute for

Mr. Johnson's amendment: Strike out the word "the,' and insert "a" in the fifth line, before "residence," the words "five years in the State." Strike out the words "here required."

The substitute was lost, and the amendment of Mr. Johnson was lost.

Mr. Watkins moved to adjourn until 10 o'clock on Monday. Lost.

Mr. Johnson moved to strike out section 5.

Mr. Yancey moved to include also sections 6 and 7. Mr. Johnson accepted, and it was carried.

Mr. Yancey moved to change the number of the next section from 8 to 5, made necessary by the striking out of preceding section; also, to change the next from 9 to 6, which was carried.

Mr. Yancey also moved to change 10 to 7. Carried; and then the 7th section, so numbered, was adopted.

The ordinance as thus amended was adopted as a whole.

Mr. Clemens moved to take up from the table an ordinance entitled an ordinance to provide for the removal of the arms and munitions of war at Mount Vernon, in the State of Alabama, to a place or places of greater security.

Mr. Williamson moved to insert Haynesville among the places designated in the ordinance. Lost.

Mr. Timberlake moved to insert Stevenson.

Mr. President Brooks (Mr. Clarke of Marengo in the chair) moved to insert, by adding at the conclusion of the designation of the cities and towns, the words "and such other places as the Governor may select." Accepted by Mr. Clemens with the amendments suggested, including Selma and Talladega.

Mr. Yancey offered the following amendment, to come in at the conclusion of the ordinance: "To be kept and delivered out only upon the orders of the Governor, for the equipment of volunteers, or of military companies in the service of the State; except in cases of insurrection or invasion." Amendment accepted by Mr. Clemens.

The question being now upon the passage of the ordinance as amended, it was adopted.

Mr. Morgan offered the following resolution:

Resolved, That a committee, to consist of three delegates, be appointed, to whom the constitution and amendments be referred for revision. Resolution adopted.

Mr. Smith of Tuscaloosa, offered the following:

Resolved, That the Committee on Printing be instructed to inquire into the expediency of printing and publishing the ordinances which have been adopted by this convention. Also, the expediency of publishing the journals of this convention, and to report to the convention.

The resolution was adopted.

The convention then adjourned until Monday morning at 10 o'clock A. M.

MONDAY, January 28, 1861.

The Convention met at 10 A. M.

Prayer by the Rev. O. R. Blue, of the Convention.

Mr. Jones of Lauderdale asked and obtained leave to record his vote in favor of the amendment of Mr. Morgan to the citizenship ordinance, providing for at least three years' residence of foreigners before naturalization, which was submitted on yesterday.

Mr. Cochran moved to take up an ordinance reported by the Committee on the Constitution, to repeal an ordinance therein named. Carried; and the ordinance was taken up.

Mr. Dargan offered the following amendment, which was adopted:

"But the navigable waters of this State shall remain forever highways, free to the citizens of this State."

Mr. Morgan offered the following amendment, which was adopted:

"And of such States as may unite with the State of Alabama in a Southern Slaveholding Confederacy."

And the ordinance, as amended, was adopted.

The President announced as the committee to revise the Constitution, Messrs. Morgan, Cochran and Webb.

Mr. Clemens, from the Committee on Military Affairs, made the following report:

"The Committee on Military Affairs, to whom was referred a resolution requesting the Governor to recall the Alabama volunteers now stationed at or near Pensacola, in the State of Florida, have had the same under consideration, and instructed me to report back the same and recommend its adoption.

"JERE CLEMENS."

Mr. Clemens moved to go into secret session, which motion prevailed, and the doors were closed.

SECRET SESSION.

MONDAY, January 28th, 1861.

The Convention went into secret session, to consider the following resolution, which Mr. Clemens, Chairman of the Committee on Military Affairs, had recommended should be adopted:

Resolved, That the Governor be and he is hereby requested to recall the Alabama volunteers now stationed at or near Pensacola, in the State of Florida.

Mr. Dargan offered the following amendment, which was subsequently withdrawn: "But said troops, or any other that the Governor may see fit, may be sent to Pensacola whenever the public interest requires it."

Mr. Brooks (Mr. Webb in the chair) moved to amend the resolution of Mr. Clemens, by striking out the word "requested" and inserting the word "authorized."

Mr. Bragg moved to pass over the whole matter informally for the present, which was adopted.

Mr. Bragg offered the following resolution, which was adopted:

Resolved, That his Excellency, the Governor, be requested to communicate forthwith to this Convention any information he may have in reference to the propriety of withdrawing or continuing in service the troops now at Pensacola.

And, on motion, the Convention went into open session until the Governor could be heard from.

OPEN SESSION.

The Convention having again gone into open session, Mr. Yancey moved that the rule requiring this Convention to adjourn at 4 o'clock P. M. be suspended. Carried.

Mr. Smith, from Tuscaloosa, from the Committee on Printing, made the folllowing report:

The Committee on Printing, to which was referred certain sections of the Constitution to be printed, have instructed me to report that the sections referred have been printed, and to return the original document, which is herewith submitted.

And on motion, the portion of the report of the committee on the Constitution which had not been disposed of was taken up.

The question was on motion of Mr. Morgan previously made, to reconsider the vote on the adoption of sections 30, 31 and 32 of article three, and the motion to reconsider was carried.

Mr. Dargan offered the following amendment to section 30, as follows: Strike out in line second, "private or quasi public," and insert "other than municipal," which was carried.

Also, to insert after the word "corporation," in the fourth line, "and also the right to establish depots, stations and turn-outs to works of public improvement." Adopted. Yeas 62—nays 9.

Yeas—Messrs. President, Baily, Baker of Barbour, Barclay, Barnes, Beck, Blue, Bolling, Bragg, Clarke of Marengo, Clarke of Lawrence, Cochran, Coleman, Crawford, Creech, Crook, Curtis, Daniel, Dargan, Davis of Covington, Dowdell, Edwards, Forrester, Foster, Gay, Gibbons, Green, Herndon, Howard, Inzer, Jemison, Jewett, Jones of Lauderdale, Johnson, Kimball, Love, McClanahan, McPherson, Morgan, Posey, Potter, Ralls, Reeves, Russell, Ryan, Sanford, Sheffield, Shortridge, Smith of Tuscaloosa, Stone, Timberlake, Watkins, Watts, Whatley, Whitlock, Williamson, Winston, Wood, Yancey, Yelverton.

Nays—Messrs. Brasher, Bulger, Coffey, Earnest, Ford, Franklin, Hind, Sheets and Webb.

Section 30 was then adopted.

Mr. Earnest offered the following amendment to section 31: Strike out sections 31 and 32, and insert: "Internal improvements shall forever be encouraged in this State; but where it is proposed to levy a tax on any county, town or corporation for the purpose of aiding such internal improvements, it shall require at least a two-thirds vote of the legal voters of said town, county or corporation to levy said tax."

Mr. Cochran moved to lay the amendment on the table, and Mr. Earnest demanded the yeas and nays, and the result was as follows:

YEAS—Messrs. President, Baily, Baker of Barbour, Baker of Russell, Barclay, Barnes, Beck, Blue, Bolling, Bragg, Brasher, Bulger, Clarke of Marengo, Clarke of Lawrence, Clemens, Cochran, Coffey, Coleman, Creech, Crook, Dargan, Dowdell, Edwards, Forrester, Foster, Franklin, Gay, Gibbons, Green, Hood, Howard, Inzer, Jewett, Jones of Fayette, Jones of Lauderdale, Johnson, Kimball, Love, McClanahan, McPherson, Morgan, Posey, Potter, Ralls, Rives, Ryan, Sanford, Sheffield, Smith of Tuscaloosa, Stone, Timberlake, Watkins, Webb, Whatley, Whitlock, Yancey, Yelverton—57.

NAYS—Messrs. Earnest, Ford, Henderson, Ketchum, Russell, Sheets, Shortridge, Watts, Winston and Wood —10.

So the amendment of Mr. Earnest was laid on the table.

Mr. Watts moved to strike out section 31 entirely and insert the following:

That the General Assembly of this State shall pass no law the validity of which shall depend on the voice of the people, to be ascertained after the passage of such laws.

Mr. Cochran moved to lay the amendment on the table.

Mr. Watts moved to lay section 31 on the table. Lost; and Mr. Cochran's motion was carried. And section 31 was adopted.

Section 32 then being under consideration, Mr. Dargan moved to strike out "private or quasi public," in the last line of said section, and insert in place thereof, "other than municipal corporations," pending the consideration of which, a message was received from his Excellency, the Governor, by his private secretary, Watkins Phelan, and the President ordered the galleries cleared, and the Convention went into secret session.

SECRET SESSION.

JANUARY 28, 1861—12 o'clock.

The Convention again went into secret session, to receive and read the Governor's communication in reference to the troops stationed at Pensacola:

EXECUTIVE DEPARTMENT,
Montgomery, Ala., January 28, 1861.

HON. WM. M. BROOKS, President State Convention:

SIR—The following resolution has been handed me by the Secretary of the Convention:

"Resolved, That His Excellency, the Governor, be requested to communicate to this Convention, forthwith, any information he may have in reference to the propriety of withdrawing or continuing in service the troops now at Pensacola."

In answer to the foregoing resolution I submit the following facts: On the 19th of January, the following dispatch was received by Col. Chase, at Pensacola, to wit:

"WASHINGTON, January 18, 1861.

"TO COL. W. H. CHASE:

"Yours received. We think no assault should be made. The possession of the fort is not worth one drop of blood to us. Measures pending unite us in this opinion. Bloodshed may be fatal to our cause."

Signed by Senators Mallory, Yulee, Slidell, Benjamin, Iverson, Hemphill, Wigfall, Clay, Fitzpatrick, and Davis.

Since the receipt of this dispatch, I have had a conference with Senator Mallory of Florida, and Senator Fitzpatrick of Alabama, in reference to the reasons upon which it was predicated, in which they informed me that they and Senator Slidell had a personal interview with the President and Secretary of the Navy, and were assured by them that no attack would be made upon Fort Sumter and Fort Pickens, or any excuse given for the shedding of blood during the present Administration, and that they deemed it of great importance that no attack should be made by South Carolina upon Fort Sumter, or by the troops of the seceding States upon Fort Pickens, in the present aspect of affairs. I was also informed by them that it was the policy of the Republican party to force a conflict between the Federal Government and the seceding States before the inauguration of Mr. Lincoln, so that the responsibility of commencing a war should not be cast upon him. It was further stated by Mr. Mallory, that a special messenger had been sent by the Secretary of the Navy to the officer in command at Fort Pickens, directing that officer to prevent the ships, which had been ordered to Pensacola, from entering the bay. The officer sent was Capt. Barron, of Virginia, in company with Mr. Mallory.

This is all the information now in my possession, in reference to the attitude of the Federal Government and the seceding States.

In reference to the forces at Pensacola, I am informed by Col. Chase that some companies from Mississippi, now at Pensacola, are desirous of returning home, being planters, business men, &c. He has asked me what must be done in regard to this matter. I have answered him by telegraph, that the troops are under the orders of the Governor of Florida, and that the Governor of Alabama cannot specially interfere with the Mississippi troops.

I have also received a dispatch from His Excellency, J. J. Pettus, Governor of Mississippi, inquiring how long the Mississippi troops were desired to remain at Pensacola. I have telegraphed him that the Governors of Florida and Mississippi have alone the right to control the troops of Mississippi.

Notwithstanding it now appears, from the authority above given, that no attack is to be made upon the forts at Pensacola now in the possession of our forces at that point, I deem it inexpedient that all the troops should be withdrawn. It is important that we should be provided for any emergency that may occur, and that a sufficient number of troops should be drilled and ready to meet it. If the troops should all be withdrawn from Pensacola, it may have a demoralizing effect upon them, and upon volunteers generally, unless kept under orders at some other point. It would be more expensive to the State to transport them to some other position, and keep them under arms, than to permit them to remain at Pensacola.

The withdrawal of the troops from Pensacola might induce the belief among the Black Republicans that resistance was not intended, if coercion were attempted on their part, and thus give encouragement to them.

I have now briefly given the information in my possession, and also my opinion with regard to the withdrawal of the troops from Pensacola.

Very respectfully,

A. B. MOORE.

The question recurring on the motion of Mr. Brooks, to strike out the word "requested," and insert the word "authorized,"

Mr. Clemens moved to lay the amendment on the table.

Mr. Whatley moved to lay the resolution and amendment on the table.

Mr. Jemison called for a division of the question, and the motion to lay Mr. Burns's proposed amendment on the table was lost. Ayes 32—nays 46.

Yeas—Messrs. Baker of Barbour, Barclay, Beard, Brasher, Bulger, Clarke of Lawrence, Clemens, Coffey, Edwards, Ford, Franklin, Gay, Herndon, Hood, Inzer, Jemison, Jones of Fayette, Johnson, Kimball, Posey, Potter, Ralls, Russell, Sanford, Sheets, Sheffield, Shortridge, Smith of Tuscaloosa, Timberlake, Watkins, Whitlock, Winston—32.

Nays—Messrs. President, Bailey, Barnes, Beck, Blue, Bolling, Bragg, Clarke of Marengo, Cochran, Coleman, Crawford, Creech, Crook, Curtis, Daniel, Dargan, Davis of Covington, Dowdell, Forrester, Foster, Gibbons, Green, Henderson of Macon, Howard, Jewett, Jones of Lauderdale, Ketchum, Love, McClanahan, McPherson, McKinnie, Morgan, Owens, Rives, Ryan, Smith of Henry, Stone, Watts, Webb, Whatley, Williamson, Wood, Yancey, Yelverton—46.

And Mr. Brooks's amendment was then adopted.

Mr. Whatley proposed an amendment, but withdrew it.

Mr. Watts moved to amend, by adding—"and to send others there whenever, in his judgment, the public interest requires it."

Mr. Clemens moved to lay the whole subject on the table which motion was adopted.

Mr. Yelverton moved to adjourn until 4½ o'clock. Lost.

Mr. Yancey moved to suspend the rule as to adjournment this day at 2 P. M. Carried.

On motion, the Convention went into open session.

OPEN SESSION.

MONDAY, January 28, 1861.

The Convention again went into open session.

Mr. Watts moved to postpone the further consideration until the 4th day of March.

Mr. Jemison moved to lay Section 32 on the table. Lost.

Mr. Watts's motion was put and carried.

The next portion of the report of the Committee on the Constitution being that in relation to slavery, it was taken up and considered.

SLAVERY.

Messrs. Watts and Clarke of Lawrence proposed amendments to Section 1, which did not come into the possession of the Secretary, and which, on motion of Mr. Cochran, were ordered to lay on the table.

The report of committee in relation to Section 1 was: They recommend that the section be amended by striking out all of said section, and inserting in lieu thereof the following:

"No slave shall be emancipated in this State by any act to take effect in this State or in any other country."

Mr. Jemison proposed the following amendment:

"Nor shall any slave be sold with a view to the ultimate emancipation or freedom of such slave."

Mr. Watkins offered the following amendment, which was adopted:

Strike out Section 1, and insert the following: "No slave in this State shall be emancipated by any act done or to take effect either in this State or any other country."

Mr. Jemison moved to postpone the consideration of the remainder of the report of the Committee on the Constitution, in relation to slavery, until the 4th of March, 1861. The motion was agreed to by a vote of 31 to 21.

Mr. Clarke of Marengo moved to adopt the constitution, as a whole, with the exception of that portion which has been postponed. Carried.

Mr. Earnest, from the Committee on Enrollment, made the following report, which was concurred in :

"The Committee on Enrollment have examined the ordinance to preserve the laws of the State of Alabama, and also the ordinance concerning foreign coin, and find the same correctly enrolled, and have instructed me to report the same as correctly enrolled.

"And also an ordinance to reorganize the militia of the State of Alabama, being correctly enrolled, is as such reported."

Mr. Yelverton offered the following resolution, which, under the rule, lies over one day:

"Resolved, That there shall be a call of the members each day, for the purpose of allowing each member respectively to introduce such matter as may be desired by any member, to be submitted to the Convention for its action."

The African slave trade ordinance, as reported by the Committee on Foreign Relations, was then taken up, and the question being on the adoption of the resolutions proposed by Mr. Jones of Lauderdale, (as amended,) as a substitute for the ordinance to prohibit the African slave trade,

Mr. Yelverton was entitled to the floor, but gave way to a motion to adjourn, which motion was lost; and

Mr. Yelverton proceeded to discuss the question before the Convention, but gave way by request of Mr. Morgan, to allow him to make a motion to adjourn until 7 o'clock this evening, which motion was lost.

Mr. Clarke of Marengo, gave notice of a resolution which he would move to adopt on to-morrow, as follows:

Resolved, That during the remainder of the session of this Convention, no member thereof shall speak on any one subject longer than 20 minutes, and only once on said subject.

Mr. Jemison asked leave to return certain papers connected with the contested election case, which was granted.

Mr. Yelverton was entitled to the floor, and while addressing the Convention was called to order, and Mr. Posey raised the point of order, stating it to be that a member addressing the Convention called to order cannot proceed without leave of the Convention. The chair decided the point was not sustained, and an appeal being taken from the decision of the Chair, the yeas and nays were demanded with the following result: Yeas 28 and nays 27.

Yeas—Messrs. Bailey, Barnes, Beck, Blue,. Bolling, Coleman, Creech, Curtis, Dowdell, Earnest, Foster, Herndon, Howard, Jemison, Jewett, Ketchum, McClanahan, McPherson, McKinnie, Rives, Shortridge, Smith of Henry, Smith of Tuscaloosa, Stone, Whatley, Williamson, Winston, Yancey.

Nays—Messrs. Barclay, Beard, Bragg, Brasher, Clarke of Marengo, Clarke of Lawrence, Coffey, Dargan, Edwards, Franklin, Green, Hood, Jones of Fayette, Johnson, Kimball, Love, Morgan, Posey, Potter, Ralls, Russell, Sanford, Timberlake, Watts, Whitlock, Wood.

Mr. Jemison moved to strike out from the substitute, "on the grounds of public policy."

Discussion ensued, and Mr. Whatley moved to lay Mr. Jemison's motion on the table, which was carried.

Mr. Watts proposed a substitue for the resolution, as follows:

Strike out all after the word "resolved," and insert "That in the opinion of this Convention, it is unwise and inexpedient to re-open the African slave trade, and that the Convention of seceding States should adopt measures to prohibit the importation for sale of slaves into the Southern Republic from any source."

Mr. Jones of Lauderdale, moved to lay the amendment of Mr. Watts on the table, and the yeas and nays were demanded, and the motion was carried.

Yeas 38—nays 29.

Yeas—Messrs. Barclay, Beard, Beck, Bolling, Bragg, Brasher, Bulger, Clarke of Marengo, Clarke of Lawrence, Coffey, Dargan, Dowdell, Earnest, Edwards, Ford, Franklin, Gay, Green, Herndon, Hood, Inzer, Jemison, Jones of Fayette, Jones of Lauderdale, Johnson, Kimball, Posey, Potter, Russell, Sanford, Sheets, Shortridge, Smith of Tuscaloosa, Timberlake, Watkins, Webb, Whitlock, Winston.

Nays—Messrs. President, Bailey, Blue, Coleman, Creech, Crook, Davis of Covington, Foster, Gibbons, Gilchrist, Henderson of Macon, Howard, Jewett, Ketchum, Love, McClanahan, McPherson, McKinnie, Morgan, Ralls, Rives, Ryan, Smith of Henry, Stone, Watts, Whatley, Williamson, Wood, Yancey.

Mr. Dowdell offered the following resolution as an amendment:

Resolved, That we regard the institution of African slavery now existing in the slaveholding states South, to to be a moral, social, and political blessing, and that the people of Alabama do now and should hereafter discountenance any and all attempts, either directly or indirectly, by legislation or otherwise, to hinder its growth and its expansion.

Mr. Jemison moved the previous question in order to cut off all amendments, and the yeas and nays being demanded, the result was, yeas 29—nays 37.

So the call for the previous question was not sustained.

Yeas—Messrs. Barclay, Beard, Bragg, Brasher, Bulger, Coffey, Dargan, Earnest, Edwards, Ford, Foster, Franklin, Gay, Green, Hood, Inzer, Jemison, Johnson, Posey, Potter, Russell, Sanford, Sheets, Smith of Tuscaloosa, Watkins, Webb, Whitlock, Winston, Wood.

Nays—Messrs. President, Bailey, Beck, Blue, Bolling, Clarke of Marengo, Clarke of Lawrence, Coleman, Creech, Crook, Davis of Covington, Dowdell, Gibbons, Gilchrist, Henderson of Macon, Howard, Jewett, Jones of Lauderdale, Kimball, Ketchum, Love, McClanahan, McPherson, McKinnie, Morgan, Ralls, Rives, Ryan, Shortridge, Smith of Henry, Stone, Timberlake, Watts, Whatley, Willlamson, Yancey.

Mr. Morgan moved to lay Mr. Dowdell's resolution on the table, and the yeas and nays were demanded. The motion was lost: yeas 25—nays 37, as follows:

Yeas—Messrs. Barclay, Beard, Brasher, Bulger, Clarke of Lawrence, Earnest, Edwards, Franklin, Gay, Jemison, Jones of Lauderdale, Johnson, Kimball, Morgan, Potter, Russell, Sanford, Sheets, Smith of Tuscaloosa, Timberlake, Watkins, Whitlock, Winston, Wood.

Nays—Messrs. President, Bailey, Barnes, Beck, Blue, Bolling, Clarke of Marengo, Coffey, Coleman, Creech, Crook, Dargan, Davis of Covington, Dowdell, Foster, Gibbons, Gilchrist, Henderson of Macon, Herndon, Howard, Inzer, Jewett, Ketchum, Love, McClanahan, McPherson, McKinnie, Ralls, Rives, Ryan, Shortridge, Smith of Henry, Stone, Watts, Webb, Whatley, Yancey.

And Mr. Dowdell's amendment was then adopted as a part of the substitute for the ordinance originally reported by the Committee on Foreign Affairs.

Mr. Watts moved to reconsider the vote on the adoption of Mr. Dowdell's resolution, which motion was carried,

And the question being on the adoption of Mr. Dowdell's resolution, the yeas and nays were demanded; and it was lost. Yeas 19—nays 40.

Yeas—Messrs. Bailey, Barns, Blue, Bolling, Coleman, Crook, Davis of Covington, Dowdell, Gibbons, Gilchrist, Howard; Love, McKinnie, Ryan, Shortridge, Smith of Henry, Whatley, Williamson, Yancey.

Nays—Messrs. President, Barclay, Beard, Beck, Brasher, Bulger, Clarke of Marengo, Clarke of Lawrence, Coffey, Creech, Edwards, Ford, Franklin, Gay, Henderson of Macon, Herndon, Hood, Inzer, Jemison, Jones of Lauderdale, Johnson, Kimball, Ketchum, McClanahan, Morgan, Posey, Potter, Ralls, Rives, Russell, Sanford, Shortridge, Smith of Tuscaloosa, Timberlake, Watkins, Watts, Webb, Whitlock, Winston, Wood.

And the question being on the adoption of Mr. Jones's (of Lauderdale) resolution as a substitute for the ordinance reported by the committee, the yeas and nays were demanded. The substitute was adopted; yeas 41—nays 18.

Yeas—Messrs. President, Barnes, Beck, Bolling, Bulger, Clarke of Marengo, Clarke of Lawrence, Coffey, Coleman, Creech, Crook, Davis of Covington, Gibbons, Gilchrist, Henderson of Macon, Herndon, Howard, Inzer, Jemison, Jewett, Jones of Lauderdale, Johnson, Kimball, Ketchum, Love, McClanahan, McKinnie, Morgan, Potter, Ralls, Rives, Russell, Ryan, Shortridge, Smith of Henry, Stone, Timberlake, Watts, Whatley, Williamson, Yancey.

Nays—Messrs. Bailey, Barclay, Beard, Blue, Brasher, Dowdell, Edwards, Ford, Foster, Franklin, Hood, Posey, Sanford, Smith of Tuscaloosa, Stone, Watkins, Webb Winston, Wood.

The question was then on the final adoption of Mr. Jones's resolution as amended, which was as follows:

Whereas, The people of Alabama are opposed on the grounds of public policy, to the re-opening of the African slave trade, therefore,

Resolved, That it is the will of the people of Alabama, that the Deputies elected by this Convention to the Southern Convention, to meet in the city of Montgomery on the 4th day of February next, to form a Southern Republic, be and they are hereby instructed to insist on the enactment by said Convention of such restrictions as will effectually prevent the reopening of the African slave trade.

The yeas and nays were demanded, and resulted: yeas 52—nays 3, as follows.

Yeas—Messrs. President, Bailey, Barnes, Beard, Beck, Blue, Bolling, Brasher, Bulger, Clark of Marengo, Clarke of Lawrence, Coleman, Creech, Crook, Davis of Covington, Edwards, Ford, Gay, Gibbons, Gilchrist, Henderson of Macon, Herndon, Inzer, Jemison, Jewett, Jones of Lauderdale, Johnson, Kimball, Ketchum, Love, McClanahan, McKinnie, Morgan, Posey, Potter, Ralls, Rives, Russell, Ryan, Sanford, Smith of Henry, Smith of Tuscaloosa, Stone, Timberlake, Watkins, Watts, Webb, Whatley, Whitlock, Williamson, Wood, Yancey.

Nays—Messrs. Dowdell, Foster, Howard.

And the resolution was adopted.

And on motion, at 11½ o'clock, P. M., the convention adjourned until to-morrow at 10 o'clock A. M.

TUESDAY MORNING, January 29, 1861.

The convention met at 10 o'clock A. M.

Hon. William M. Brooks in the chair.

Prayer by Rev. John P. Ralls of the Convention.

CALL OF COMMITTEES.

Mr. Dowdell, from the Committee on Public Expenditures, made the following report.

The Committee on Public Expenditures, to whom was referred the following resolution, beg leave to report the same back, as amended, to the convention, and recommend its adoption:

Resolved, That the sum of twenty-five dollars be and the same is hereby appropriated to P. H. Brittain, Secretary of State, to compensate him for services in carrying out the resolution of this Convention in reference to the ordinance to make provisional postal arrangements.

The report was concurred in, and the resolution adopted.

Mr. Whatley, from the Committee on Printing, made the following report:

"The Committee on Printing, to which was referred certain resolutions of instruction, have had the same under consideration, and have instructed me to report the following plan for publishing the journal:"

Mr. Smith of Tuskaloosa proposes to print and publish the journal of the Convention, with the debates, upon the following plan and conditions:

To preserve the journal, without abridgment, from copies to be certified by the Secretary. To intersperse the debates on the various questions as they arise, so that each proposition, as recorded in the journal, will be accompanied by the debate in the order as it occurred at the time.

The book shall include the speeches which have been or may be made before the Convention by Commissioners from other States, and the reports of our Commissioners to other States.

The book to be printed in the best style of law printing, and bound in law binding, at Mr. Smith's own expense and responsibility.

Mr. Smith requires of the Convention, as a condition, that by ordinance the copyright of the book shall be secured to him, and that the Convention, instead of publishing the journal at the expense of the State, shall purchase of him the number of copies usually published of the Senate and House journals, at a price not to exceed the cost now paid to the State printers, to be estimated with regard to the quality of the paper, printing, and the style of binding.

Resolved, That the foregoing proposition be accepted upon the terms therein set forth, and that the Secretary of the Convention be required to furnish Mr. Smith with certified copies of the journals, and of such other documents and communications as may be necessary to explain the proceedings and debates.

The report was concurred in and the resolution agreed to.

Mr. Smith of Tuscaloosa, from the Committee on Printing, made the following report:

The Committee on Printing, to which was referred certain resolutions of instruction concerning the printing of the ordinances of this Convention, have had the same under consideration, and have instructed me to report the following resolutions and recommend their adoption.

Resolved, That the Secretary of the Convention be required to furnish the Committee on Printing with copies of the ordinances which have been adopted, and that the same be placed in the hands of the State Printers, with instructions to print 2,200 copies of them with dispatch, in pamphlet form, in the style of the acts of the Legislature.

Resolved, That the Secretary of State be instructed to distribute by mail to the judges of probate, the numbers of copies which each county is entitled to, with instructions to distribute the ordinances to such persons as are now entitled by law to the acts of the General Assembly, and also ten copies to each member of this Convention.

The report was concurred in and the resolutions adopted.

Mr. Clarke, of Lawrence, Chairman pro tem. of the Committee on Enrollment, made the following report, which was concurred in.

The Committee on Enrollment, to whom was referred "an ordinance supplemental to an ordinance to make provisional postal arrangements," "an ordinance to provide for the removal of the arms and munitions of war at Mount Vernon, in the State of Alabama, to a place or places of greater security," and an ordinance "concerning citizenship," beg leave to report that they have had the same under consideration, and that they are correctly enrolled.

Mr. Inzer from the same committee, reported the following ordinances as correctly enrolled:

An ordinance to continue the city of Selma as a port of entry;

An ordinance to authorize colonels of volunteer regiments to appoint their own staff officers;

An ordinance supplemental to an ordinance heretofore passed in reference to the custom-house at Mobile.

Mr. Earnest, from the same committee, made a further report that the following named ordinances were correctly enrolled:

An ordinance in reference to the several ordinances passed by this Convention in relation to federal affairs;

An ordinance supplemental to an ordinance to provide for the military defence of the State.

Mr. Jemison returned to the Secretary certain papers connected with the contested election case.

Mr. Jewett, chairman of special committee on the subject of land offices &c., made a report accompanied by an ordinance entitled "an ordinance in relation to the waste and unappropriated lands in the State of Alabama," which, on motion of Mr. Henderson of Macon, was laid on the table, and the Assistant Secretary of the Convention was instructed to have 500 copies printed and distributed among the members of the Convention during the recess.

Mr. Jewett, from the same committee, also reported an ordinance to authorize issuance of patents by the Governor, and for other purposes, which was also ordered to be printed and distributed as above.

Mr. Jewett also offered an ordinance in reference to the Greenville land office, which, by leave of the Convention, was informally withdrawn.

Mr. Dargan, by leave, offered the following resolutions which were adopted.

Resolved, That vacancies which may occur in the office of delegate from this State to the Convention of the seceding States, to be held at Montgomery in this State, on the 4th day of February next, shall be filled by the Governor during the recess of this Convention.

Resolved also, That the Governor of this State shall cause appropriate elections to be held, to supply all vacancies which may occur in the office of Delegate to this Convention, to be held at such time as he may direct; and five days notice of such election shall be given.

Mr. Whatley offered the following resolution, which was adopted:

Resolved, That the doorkeeper of this Convention be authorized to receive the same compensation for his services as was allowed to the doorkeeper of the last House of Representatives.

Mr. Morgan offered an ordinance supplemental to the ordinance to provide for the defence of Alabama, providing for the protection of the coast defences of the Gulf of Mexico, which was adopted.

Mr. Johnson introduced an ordinance in relation to reducing the size of the counties in this State, from 900 to 600 square miles, &c.

Mr. Blue offered the following amendment, which was accepted by Mr. Johnson, as follows:

Provided That no action of this Convention or the Legislature, based upon the foregoing ordinance, shall take effect until such action shall be ratified by a vote of the people of the State.

Mr. Johnson moved to refer the ordinance to the Committee on Printing, with instructions to print 200 copies during the recess.

Mr. Webb moved the indefinite postponement of the ordinance, and the yeas and nays were demanded, and resulted, yeas 25—nays 41.

Yeas—Messrs. President, Bailey, Baker of Barbour, Beck, Blue, Bolling, Cochran, Daniel, Dowdell, Earnest, Gilchrist, Henderson of Macon, Herndon, Hood, Jones of Fayette, Jones of Lauderdale, Love, McClanahan, McPherson, Sheets, Stone, Watkins, Webb, Williamson, Wood, Yancey.

Nays—Messrs. Barclay, Bragg, Brasher, Bulger, Clarke of Lawrence, Clarke of Marengo, Clemens, Coffey, Coleman, Creech, Crook, Davis of Covington, Edwards, Ford, Forrester, Foster, Gibbons, Green, Herndon, Howard, Inzer, Jemison, Jewett, Johnson, Kimball, Ketchum, McKinnie, Owens, Posey, Potter, Ralls, Rives, Russell, Ryan, Sanford, Smith of Henry, Smith of Tuscaloosa, Steele, Timberlake, Watts, Whatley, Whitlock, Yelverton.

And the question recurring on Mr. Johnson's motion to print, it was carried.

Mr. Ketchum offered an ordinance in relation to the several ordinances passed by this Convention on the subject of Federal Affairs, which was adopted.

Mr. Kimball offered the following resolution, (Mr. Webb in the chair):

Resolved, That the thanks of this convention be tendered to the Hon. Wm. M. Brooks, the President, for the able and impartial manner in which he has discharged the arduous duties of his position.

The resolution was unanimously adopted.

Mr. Jemison offered the following resolution, which was adopted:

Resolved, That the President of this convention is authorized to draw his warrant on the Treasurer of this State for any sum of money he has expended for telegrams sent to and from this convention.

Mr. Baker of Barbour introduced an ordinance supplemental to an ordinance entitled "and to provide for the military defence of the State of Alabama," which was adopted.

Mr. Whatley moved that a committee of three be appointed to wait on the Governor and inform him that we are ready to adjourn, and inquire of him if he has any communication for the convention. Carried.

Messrs. Whatley, Jemison and Jewett were appointed said committee.

Committee returned and reported that the Governor had no communication to make to the convention.

Mr. Smith of Tuscaloosa moved that the account of the printers to the convention, (Shorter & Reid,) be referred to the Committee on Printing. Carried.

Mr. Whatley called up his motion to adjourn, which being agreed to,

Mr. President Brooks, in an appropriate and eloquent address, returned his thanks for the resolution adopted by the convention complimentary to himself, and pronounced the convention adjourned until the 4th of March next.

MONTGOMERY, ALA.,
Monday, March 4, 1861.

In pursuance of a resolution adopted by the convention on the 26th day of January, 1861, the Alabama State Convention assembled on this day in the Hall of the House of Representatives of this State, at 12 o'clock M., and was duly called to order by the President, Hon. W. M. Brooks.

Prayer was offered by the Rev. J. A. Heard, of the M. E. Church South.

The journals of the 28th and 29th of January were read and approved.

The President laid before the convention a letter of resignation from R. H. Wynne, Door-keeper, which was read and laid on the table, and his resignation accepted.

MONTGOMERY, ALA., March 4th, 1861.

To the President of the Alabama State Convention:

SIR: Since the adjournment of the honorable body over which you preside, I have been elected Door-keeper to the Congress of the Confederate States; and wishing to retain that office, it becomes my duty to resign a similar one which I hold under the State Convention. This I now do; and in doing so, permit me to tender through you my sincere and heartfelt acknowledgments to each and every member of the Alabama State Convention. My most fervent desires for your success and happiness through life but feebly convey the emotions which I feel in taking leave of a body which has honored me with their confidence, and which, gentlemen, allow me to say, it was my highest pleasure and happiness to serve.

I am, very respectfully, your obedient servant,
R. H. WYNNE.

Mr. Bulger moved that the convention proceed to the election of door-keeper. Carried.

Mr. Watts, in view of the absence of the Secretary, moved that Mr. S. B. Brewer act as assistant to the Assistant Secretary, which was carried.

The question being on Mr. Bulger's motion, it was carried.

Mr. Leonard nominated Richard Walker, of Montgomery, for door-keeper. Mr. Edwards nominated J. S. Jones, of same place. Mr. Inzer nominated S. Hooker, also of Montgomery; and Mr. Bailey nominated E. C. Greene, of Macon.

On the first ballot Mr. Greene was elected. The vote stood: Greene 35, Walker 14, Jones 10, and Hooker 7.

Those who voted for Mr. Greene are: Messrs. Bailey, Baker of Russell, Barclay, Blue, Clarke of Lawrence, Clemens, Coffey, Creech, Crook, Daniel, Davis of Madison, Dowdell, Foster, Franklin, Greene, Henderson of Pike, Herndon, Hood, Howard, Johnson, Love, McClanahan, McKinney, Owens, Phillips, Posey, Ryan, Shortridge, Slaughter, Smith of Henry, Steele, Watkins, Webb, Whatley and Winston.

Those who voted for Mr. Hooker are: Messrs. President, Bolling, Crawford, Inzer, McPherson, Rives and Watts.

Those who voted for Mr. Jones are: Messrs. Brasher, Edwards, Jones of Fayette, Potter, Ralls, Russell, Sanford, Sheets, Whitlock and Wilson.

Those who voted for Mr. Walker are: Messrs. Allen, Barnes, Bulger, Crumpler, Davis of Covington, Earnest, Ford, Forrester, Gay, Jewett, Jones of Lauderdale, Kimball, Leonard and Taylor.

Mr. Clemens offered the following resolution:

Resolved, That the Governor be requested to communicate to this Convention how many regular troops have been recruited under the ordinance passed on the 19th January, 1861; how many volunteer companies have been received into the service of the State; what is the number of officers, non-commissioned officers, musicians and privates in each company, and what is the kind and description of the arms with which they have been furnished.

Mr. President stated that the special order, which was the adoption of the amendments to the State Constitution, had precedence of any other business.

On motion of Mr. Webb. the special order was postponed.

Mr. Clemens's resolution was then adopted.

Mr. Shortridge offered the following resolution:

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of engaging, at the expense of the State, a competent corps, whose duty it shall be to determine by actual observation and tests the best location within Alabama for an armory, having reference to the facilities of railroad and river communication, centrality, health, abundance, contiguity and quality of the iron ore, stone coal, charcoal and limestone; the probable cost of the necessary lands, buildings and machinery, and the earliest time at which an armory can be placed in effective operation; and that said committee report forthwith, by ordinance or otherwise.

Mr. Clemens moved to strike out "forthwith," which was accepted; and the resolution thus amended was adopted.

Mr. Kimball offered the following resolution:

Resolved, That the members of the Congress of the Confederate States of America be invited to seats on the floor of the Hall of this Convention, even when in secret session. Adopted.

Mr. Baker of Russell introduced a resolution that reporters of newspapers published in the Confederate States of America and the other slaveholding States be allowed seats in the Hall of this convention, when in open session, and none others. Adopted.

Mr. Jones of Lauderdale moved to take up the following resolution, offered on the 28th January last, and which, under the rule, was laid over. The motion was carried, and the resolution was read.

Resolved, That there shall be a call of the members on each day, for the purpose of allowing each member respectively to introduce such matter as may be desired by any member to be submitted to the convention for its action.

Mr. Whatley moved the word "member" be stricken out, and that the word "counties" be inserted in lieu thereof. Carried; and the resolution as amended was adopted.

On motion of Mr. Baker of Russell, 200 copies of the rules of the House were ordered to be printed.

On motion of Mr. Clemens, the convention then adjourned till 10 o'clock to-morrow morning.

TUESDAY, March 5th, 1861.

The convention met at 10 o'clock, A. M.

Prayer by the Rev. G. W. H. Petrie, of the Presbyterian church.

The journals of yesterday were read and approved.

Mr. President announced that he had received a communication from Hon. John Gill Shorter, Commissioner from this State to the State of Georgia, and inquiring what disposition the convention would make of it.

On motion the communication was read and laid on the table.

Mr. President ordered the call of the committees, in pursuance of the resolutions adopted on yesterday; and

Mr. Henderson, of Macon, presented a communication from one of the members of the Auburn Guards, and moved its reference to the Committee on Public Expenditures, which was carried.

Communication from the Governor.

A message was received from his excellency, the Governor, which was read.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., March 5th, 1861.

HON. WM. M. BROOKS, President State Convention:

Sir: I beg leave to lay before the convention a letter from Hon. L. P. Walker, Secretary of War of the Confederate States of America, of which the following is a copy;

CONFEDERATE STATES OF AMERICA,
War Department, Montgomery, March 1st, 1861.

Sir: The Congress have passed an act to raise provisional forces for the Confederate States of America, and for other purposes. I beg leave to enclose a copy of the act.

Under this act the President directs me to inform you that he has assumed control of all military operations in your State having reference to, or connected with, questions between your State and powers foreign to it.

He also directs me to request that you will communicate without delay to this department the quantity and character of arms and munitions of war acquired from the United States, and which are now in the forts, arsenals and navy yards of your State; and all other arms and munitions which your State may desire to turn over and make chargeable to this government.

The President further directs me to say that he will proceed with as little delay as possible to organize the provisional forces in the respective States, as provided for in the 3d and 4th sections of said act.

I have the honor to be, very respectfully,
your obedient servant,
L. P. WALKER,
Secretary of War.

His Excellency, A. B. Moore,
Montgomery, Ala.

I also herewith lay before the convention a copy of the act referred to in the foregoing letter.

I would not feel at liberty to turn over the property acquired from the United States, unless authorized by the action of the convention or legislature of the State. As it is the object of the President, in assuming control of the military operations of the Confederate States, to defend and protect them against foreign powers; he must be provided with the necessary means for so doing. This can only be done under present circumstances by transferring to the Confederate Government the arms and munitions of war in possession of the seceded States, ac quired from the Federal Government. There is now no other way of furnishing the President with the means of defending the Confederate States.

It is my opinion that the arms and munitions of war purchased by the State of Alabama should be retained to enable her to meet any emergency that may arise, except the two large columbiads purchased for the defence of Fort Morgan.

These matters are respectfully submitted for the consideration and action af the convention.

Very respectfully,
A. B. MOORE.

On motion of Mr. Earnest, the mesage was referred to the Committee on Military Affairs.

The President announced that he had received two communications in reference to the Shelby county contested election case.

On motion of Mr. Clemens, they were referred to the Committee on Credentials.

Mr. President announced next business in order was the consideration of an ordinance in relation to reducing the size of the counties in this State.

Mr. Edwards moved to make the ordinance the special order for to-morrow, (Wednesday,) at 12 M. Carried.

On motion of Mr. Cochran, the motion in relation to the waste and unappropriated lands in the State of Alabama was taken from the table.

Mr. Dargan moved that the ordinance be laid over until Thursday next.

Mr. Jewett moved to recommit the ordinance to the Committee on Public Lands.

Mr. Clemens moved to suspend the consideration of the subject matter, to introduce the following resolution:

Resolved, That the public lands within the limits of the State of Alabama shall be reserved for the use and benefit of the people of the State, and the title thereto under any circumstances shall not be transferred to any other government or power.

Mr. President decided that the resolution was out of order, and that the question on the motion of Mr. Jewett to recommit the ordinance, which was agreed to.

And Mr. Clemens again offered his resolution, and upon motion of Mr. Dargan, it was postponed until Thursday next.

Mr. Morgan introduced an ordinance in relation to the disposition of the proceeds of the sales of the public lands, which was referred to the Committee on Public Lands.

Mr. Dowdell offered a resolution to the effect that the proceeds of public lands in this State shall be set apart for the purpose of meeting the expenses that have been or may be incurred on account of the secession of the State from the United States of America; which was referred to the Committee on Public Lands.

Mr. Johnson also offered an ordinance in relation to the public lands, which was referred to the Committee on Public Lands.

Mr. McClanahan introduced an ordinance in regard to the Swamp and Overflowed Lands, which, without being read, was referred to the Committee on Public Lands.

The next business in order being the consideration of the amendments to the State constitution, they were taken up, and on motion of Mr. Earnest, their further considertion was postponed until 1 o'clock to-morrow.

On motion, an ordinance relating to the issuance of patents by the Governor, and for other purposes, was taken up, and on motion of Mr McClanahan, was recommitted to the Committee on Public Lands.

Mr. Clarke of Marengo introduced an ordinance to give efficiency to the ordinance of January 19th, 1861, "to provide for the military defence of the State of Alabama." Referred to Military Committee.

Mr. Gibbons offered the following resolution:

Resolved, That the Secretary of this Convention be allowed to employ temporarily, during the absence of the assistant employed by him at the commencement of the session of this Convention, an assistant secretary, and pay such assistant same pay as was received by the first employee. The resolution was adopted.

On motion of Mr. Gibbons, the Convention adjourned until 10 o'clock to-morrow.

WEDNESDAY, March 6th 1861.

The Convention met at 10 o'clock A. M.

Prayer by Rev. Mr. McIntosh, of Perry.

Journal of yesterday was read and corrected.

CALL OF THE COUNTIES.

Mr. Edwards introduced an ordinance in relation to the moneys arising from the sale of public lands, in this State, which was read and referred to the Committee on Public Lands.

Mr. Shortridge introduced the following resolution, which was adopted.

Resolved, That a Committee on Federal Relations be appointed by the President of the Convention, which shall be added to the standing committees.

Mr. Shortridge offered another resolution which was also adopted.

Resolved, That the Committee on Federal Relations be instructed to inquire into the expediency of appropriating so much of the proceeds of the public lands as may be necessary for the purchase of a district of ten miles square, within the State of Alabama, to be tendered to the Congress for the permanent seat of government of the Confederate States of America.

Mr. Phillips offered the following resolution which was adopted.

Resolved, That the Committee on Public Lands enquire into the expediency of making grants of public lands to such railroads in Alabama, now in progress of construction as have received no such grants from the Congress of the late United States.

Mr. Morgan moved to reconsider the vote by which the convention on yesterday postponed until one o'clock to-day the proposed amendments to the Constitution of the State of Alabama; which motion waa carried.

The Convention then proceeded to the consideration of said amendments.

The question was on the motion of Mr. Dargan, to strike out "private or quasi public" and insert after corporations, "other than municipal." Motion carried.

Mr. Watts moved to strike out the entire section, which gave rise to considerable debate.

Mr. President decided Mr. Watts's motion out of order.

The question recurring on Mr. Dargan's amendment, it was adopted.

Mr. Watts renewed his motion to strike out section 32 of article 3.

Pending Mr. Watt's motion, the hour of 12 o'clock arrived, which was the hour set for the special order pertaining to the ordinance in relation to the reducing of the size of the counties in this State.

Mr. Whatley moved that the special order be postponed until the business now before the Convention be disposed of. Carried.

Mr. Cochran offered the following amendment:

But this section shall not be so construed as to affect the power of the General Assembly, to perfect or secure any right or privilege under any existing law of this State, and no right or privilege arising under any existing law of this State, shall be affected by this section.

Which amendment was adopted.

Mr. Watts's motion was lost. Yeas 27—nays 58.

Yeas—Messrs. President, Baily, Blue, Catterlin, Clarke of Lawrence, Crawford, Crook, Davis of Pickens, Earnest, Ford, Foster, Franklin, Gay, Henderson of Macon, Herndon, Love, McClanahan, Owens, Phillips, Potter, Ralls, Rives, Ryan, Starke, Timberlake, Watts, Whatley.

Nays—Messrs. Allen, Barclay, Barnes, Beard, Bolling, Bragg, Brasher, Bulger, Clemens, Cochran, Coffey, Coleman, Coman, Creech, Crumpler, Curtis, Daniel, Dargan, Davis of Covington, Davis of Madison, Dowdell, Edwards, Gibbons, Gilchrist, Greene, Henderson of Pike, Hood, Howard, Inzer, Jewett, Jones of Fayette, Jones of Lauderdale, Johnson, Kimball, Leonard, McClellan, McPherson, McKinnie, Morgan, Posey, Russell, Sanford, Sheets, Sheffield, Shortridge, Slaughter, Smith of Henry, Smith of Tuscaloosa, Steadham, Steele, Stone, Taylor, Watkins, Webb, Whitlock, Williamson, Wilson.

Mr. Watts offered the following amendment to come in after the word "tax-payer."

Unless three-fourths of the citizens of a city, town or county vote therefor according to the value of the property represented.

Laid on the table. Yeas 50—nays 25.

Yeas—Messrs. President, Allen, Barclay, Barnes, Bragg, Brasher, Bulger, Cochran, Coffey, Coleman, Coman, Creech, Crumpler, Curtis, Daniel, Dargan, Davis of Covington, Davis of Madison, Dowdell, Edwards, Franklin, Gibbons, Gilchrist, Green, Henderson of Macon, Hood, Howard, Inzer, Jewett, Jones of Lauderdale, Kimball, Leonard, McClellan, McPherson, Morgan, Posey, Russell, Sanford, Sheets, Sheffield, Shortridge, Steadham, Steele, Stone, Taylor, Webb, Whatley, Whitlock, Williamson, Wilson.

Nays—Messrs. Bailey, Blue, Catterlin, Clark of Lawrence, Crawford, Crook, Davis of Pickens, Earnest, Foster, Gay, Herndon, Johnson, Love, McClanahan, Phillips, Potter, Ralls, Rives, Ryan, Smith of Henry, Timberlake, Watkins, Watts, Winston.

Mr. Watts offered the following amendment.

Provided, That this clause shall not be operative as a part of the Constitution, unless approved by a majority of the qualified voters of the State, at the next general election.

Convention refused to lay it on the table. Yeas 40—nays 40.

Yeas—Messrs. Barnes, Bragg, Bulger, Clarke of Marengo, Cochran, Coleman, Coman, Creech, Crumpler, Curtis, Daniel, Dargan, Davis of Madison, Dowdell, Edwards, Gibbons, Gilchrist, Green, Henderson of Pike, Howard, Jewett, Jones of Lauderdale, Kimball, Leonard, McClellan, McPherson, McKinnie, Morgan, Posey, Russell, Sheets, Sheffield, Smith of Henry, Steele, Stone, Taylor, Webb, Whatley, Whitlock, Williamson, Wilson.

Nays—Messrs. President, Allen, Bailey, Barclay, Blue, Bolling, Brasher, Catterlin, Clarke of Lawrence, Coffey, Crawford, Crook, Davis of Pickens, Earnest, Ford, Foster, Franklin, Gay, Henderson of Macon, Herndon, Hood, Inzer, Jemison, Jones of Fayette, Johnson, McClanahan, Owens, Phillips, Potter, Ralls, Rives, Ryan, Sanford, Shortridge, Slaughter, Steadham, Timberlake, Watkins, Watts, Winston.

Mr. Cochran moved the previoua question, which was sustained. Yeas, 45—nays 36.

YEAS—Messrs. President, Allen, Barnes, Bragg, Brasher, Bulger, Cochran, Coffey, Coleman, Coman, Creech, Crumpler, Daniel, Dargan, Davis of Madison, Dowdell, Edwards, Gibbons, Gilchrist, Green, Howard, Inzer, Jewett, Jones of Fayette, Jones of Lauderdale, Kimball, Leonard, Lewis, McClellan, McPherson, McKinney, Morgan, Posey, Russell, Sheets, Sheffield, Stead. liam, Steele, Stone, Taylor, Webb, Whitlock, Williamson, Wilson.

NAYS—Messrs. Bailey, Barclay, Blue, Bolling, Catterlin, Clarke of Lawrence, Crawford, Crook, Davis of Pickens, Earnest, Ford, Foster, Franklin, Gay, Henderson of Macon, Herndon, Hood, Jemison, Johnson, Love, McClanahan, Owens, Phillips, Potter, Ralls, Rives, Ryan, Sanford, Shortridge, Slaughter, Smith of Henry, Timberlake, Watkins, Watts, Whatley, Winston.

Pending the consideration, on motion the Convention adjourned till 10 o'clock to-morrow morning.

THURSDAY, March 7th, 1861.

The Convention met at 10 o'clock A. M.

Prayer was offered by the Rev. Dr. Mitchell of the Episcopal Church.

Journal of yesterday read and approved.

Mr. Watts announced the presence of J. C. B. Mitchell, Esq., elected as successor of Mr. Yancey, who came forward, subscribed his name and took his seat.

CALL OF COUNTIES.

Mr. Owens introduced an ordinance providing for the creation of a new county out of Henry county, to be called "Smith." Read, and made the special order for 1 P. M. to-morrow.

Mr. Timberlake offered the following:

Resolved, That the 10th section of the 5th article of the Constitution of Alabama, be so amended as to read as follows; a competent number of Justices of the Peace shall be appointed in and for each county, in such mode and for such term of office as the General Assembly shall direct. Their jurisdiction in civil cases shall be limited to causes in which the amounts in controversy shall not exceed two hundred and fifty dollars; and in cases tried by a Justice of the Peace, right of appeal shall be secured under such rules and regulations as may be prescribed by law. Referred.

Mr. Clark of Lawrence, introduced an ordinance to dispose of the proceeds of the sales of the public lands, which were read and referred to the Committee on Public Lands.

Mr. Bailey offered a memorial from citizens of Perry county, proposing a certain change in the Constitution. Referred.

Mr. Davis, of Pickens, introduced the following ordinance:

Be it ordained by the people of Alabama in Convention assembled, That Section 24 of Article 4, of the Constitution of Alabama, shall be amended by striking out after the words, "unless sooner removed," the following words, viz: "and who shall not be eligible to serve either as principal or deputy, for the three succeeding years." Referred.

Mr. Cochran introduced a resolution of instructions to the Committee on Military Affairs, to report without delay on the communication of the Governor, submitted on Tuesday last. Adopted.

Mr. Crook offered the following:

Resolved, That the President of the Convention be requested to inform the President of the Confederate States, that it is the desire of this Convention to call on him in a body, at such time as he may designate. Adopted.

AMENDMENTS TO THE STATE CONSTITUTION.

The amendment of section 32 of article 3, under consideration yesterday at adjournment, was taken up and adopted. 57 yeas, 30 nays

YEAS—Messrs. President, Allen, Barclay, Barnes, Bolling, Beard, Bragg, Brasher, Bulger, Clarke of Marengo, Cochran, Coffey, Coleman, Coman, Creech, Crumpler, Dargan, Davis of Covington, Davis of Madison, Dowdell, Edwards, Forrester, Gibbons, Gilchrist, Green, Hawkins, Henderson of Pike, Hood, Howard, Inzer, Jewett, Jones of Fayette, Jones of Lauderdale, Johnson, Kimball, Leonard, McClellan, McPherson, McKinnie, Posey, Russell, Ryan, Sanford, Sheets, Shortridge, Smith of Henry, Smith of Tuscaloosa, Steadham, Steele, Stone, Taylor, Watkins, Webb, Whitlock, Williamson, Wilson.

NAYS—Messrs. Bailey, Blue, Catterlin, Clarke of Lawrence, Crawford, Crook, Curtis, Earnest, Ford, Foster. Franklin, Gay, Henderson of Macon, Herndon, Humphries, Jemison, Ketchum, Love, McClanahan, Mitchell, Owens, Phillips, Potter, Ralls, Rives, Starke, Timberlake, Watts, Whatley, Winston.

The next question was on the adoption of Section 2 of the Article on Slavery.

Mr. Posey moved to amend by inserting after the word "slaves" the words "born in."

Mr. Jones of Lauderdale moved to amend by striking out Section 2 of the amendment proposed by the Committee on the Constitution, and amend article 6th Title "Slaves" of the Constitution of Alabama by striking out all after the word emancipated in the 4th line of Section 1.

And Mr. Clark of Marengo moved that the whole be laid on the table, and 200 copies ordered to be printed. Carried.

The next special order being the ordinance in relation to reducing the size of the counties,

Mr. Edwards moved to amend by striking out the last proviso and insert the words "and that no new county shall be established under the provisions of this ordinance unless the population of said county be sufficient to entitle it to a separate representation in the Legislature. But new counties may be established of less content than above prescribed, provided it contains the requisite population to entitle it to a separate representation.

Mr. Timberlake moved to strike out all after 5th line.

Mr. Ralls moved to amend as follows, which amendment was accepted by Mr. Johnson: After the word counties, in the 11th line, add: "No county site now established or hereafter established shall ever be changed without a majority of two-thirds of the votes cast by the qualified voters of the county in which said county site is situated, at an election held in due form of law.

Mr. Johnson moved to refer the ordinance to a select committee of five.

And Mr. Webb moved to lay the whole on the table. Motion lost.

The motion of Mr. Johnson was then adopted, and the President appointed Messrs. Coleman, Ralls, Edwards, McClanahan and Taylor said select committee.

Mr. Clemens offered the following resolution, which was adopted:

Resolved, That the Governor be requested to inform this Convention what steps have been taken to carry into effect the provisions of an ordinance entitled "An ordinance to provide for the removal of the arms and munitions of war at Mount Vernon, in the State of Alabama, to a place or places of greater security," which ordinance was adopted by this Convention on the 26th day of January, 1861. And that he be further requested to inform this Convention whether elections have been ordered to fill the various militia offices in the State of Alabama, in compliance with the provisions of an act of the State Legislature, entitled "An act to provide for the election of certain militia officers of the State of Alabama," which act was approved on the 8th day of February, 1861.

The following resolution, the consideration of which was postponed until to-day, was taken up and referred to the Committee on Public Lands.

Resolved, That the public lands within the limits of the State of Alabama shall be reserved for the use and benefit of the people of the State, and the title thereto shall not under any circumstances be transferred to any other government or power.

Mr. President annouuced as the Committee on Federal Relations, under the resolution of Mr. Shortridge—

Messrs. Shortridge, Watts, Crook, Jones of Lauderdale, Earnest, Bailey, Davis of Madison, Bragg and Owens.

On motion, the Convention adjourned till 10 o'clock to-morrow morning.

FRIDAY, March 8th, 1861.

The Convention met at 10 o'clock A. M.

The Rev. Mr. Ralls, of the Convention, offered prayer.

The President announced that in pursuance of the resolution of yesterday, he had called upon the President of the Confederate States, who expressed his gratification, and would willingly receive a call from the Convention in a body, at such time and place as might suit the Convention.

Mr. Mitchell moved a committee of three, to arrange, &c.

The President appointed Messrs. Mitchell, Beard, and Clarke of Marengo.

Mr. Cochran moved to include the Vice President. Adopted.

Mr. Cochran moved a committee of one to inform the Congress of a resolution of this body inviting the members to a seat on this floor.

On motion of Mr. Dargan, the Convention went into secret session.

SECRET SESSION.

FRIDAY, March 8th, 1861.

Upon suggestion, the Convention went into secret session, to consider the ordinance offered by Mr. Cochran to turn over the forts and arsenals of this State to the Government of the Confederate States.

Mr. Clemens moved to refer the ordinance to the Committee on Military Affairs, pending which

A message was received from the Governor, which was read and laid on the table.

The consideration of the ordinance was resumed, and by request of Mr. Watts, Mr. Clemens temporarily withdrew the motion to refer, in order to permit Mr. Watts to discuss the merits of the question.

The hour assigned for the consideration of the special order—the ordinance supplemental to the ordinance in relation to reducing the size of the counties in this State —having arrived,

On motion of Mr. Cochran the special order was suspended, in order to finish the business now before the Convention.

Mr. Clemens renewed the motion to refer the ordinance to the military Committee, and the ayes and noes were demanded. Ayes 50—noes 40.

Ayes —Messrs. President, Allen, Barclay, Beard, Brasher, Bulger, Clark of Lawrence, Clemens, Coffey, Coleman, Coman, Crumpler, Davis of Madison, Earnest, Edwards, Ford, Forrester, Foster, Franklin, Gay, Gilchrist, Green, Henderson of Macon, Hood, Humphries, Inzer, Jones of Fayette, Johnson, Kimball, Leonard, McClanahan, McClellan, Owens, Phillips, Posey, Potter, Ralls, Russell, Sanford, Sheets, Shortridge, Slaughter, Steadham, Steele, Taylor, Timberlake, Watkins, Whitlock, Wilson, Winston, Wood—50.

Noes—Messrs. Baker of Russell, Barnes, Beck, Blue, Bolling, Bragg, Catterlin, Clarke of Marengo, Cochran, Crawford, Creech, Crook, Curtis, Dargan, Davis of Covington, Davis of Pickens, Dowdell, Gibbons, Hawkins, Henderson of Pike, Herndon, Howard, Jewett, Jones of Lauderdale, Ketchum, McPherson, McKinnie, Mitchell, Morgan, Rives, Ryan, Smith of Henry, Smith of Tuscaloosa, Starke, Stone, Watts, Webb, Whatley, Williamson, Yelverton—40.

And the ordinance was accordingly referred.

Mr. Humphries moved that the Committee on Military Affairs be instructed to report on the ordinance to-morrow morning. Carried.

Mr. Bragg offered the following resolution, which was adopted:

Resolved, That his Excellency the Governor be requested to communicate to this Convention any report he may have received from the Collector at the Port of Mobile, showing the condition of the Custom-House and the amount of money in the hands of the Collector at the time of his report.

Mr. Clemens moved a further suspension of the special order to enable him to report an ordinance. Carried.

Mr. Clemens, Chairman of the Military Committee reported, an ordinance to confer jurisdiction over the forts and arsenals in the State of Alabama upon the Confederate States of America.

Mr. Cochran moved to amend, by striking out all after the enacting clause, and inserting the following: "That the Provisional Government of the Confederate States is hereby authorized to use, occupy, and hold possession, of all forts, navy yards, and arsenals, and their appurtenances, in this State, and shall repair and rebuild said forts and arsenals at its discretion, until this ordinance is repealed by a convention of the people of this State."

The motion was carried.

The question then being on the adoption of the ordinance, as amended, it was adopted.

Mr Clemens moved a suspension of the special order, to allow him to make a motion. Carried.

Mr. Clemens moved that the Governor's message received this morning, and the communication of the Governor in relation to arms, be referred to the Military Committee. Carried.

Mr. Earnest, from the Committee on enrollment, reported as correctly enrolled the "ordinance to confer jurisdiction over the forts and arsenals in the State of Alabama upon the Confederate States of America.

And the Convention then went into open session.

OPEN SESSION.

After remaining in Secret Session for some time the Convention opened the doors.

The Convention proceeded to the consideration of the special order, "An Ordinance supplemental to an ordinance to reduce the size of the counties." Referred to special committee.

Mr. Baker, of Russell, presented a petition from Russell county in relation to forming a new county to be called Opelika. Referred to same committee.

Mr. Johnson from the select committee of five, was proceeding to make a report in relation to reducing the size of counties, when the hour of 2 o'clock arrived, and the Convention stood adjourned until to-morrow 10 a. m.

MONTGOMERY, ALA., March 9, 1861.

The Convention met pursuant to adjournment.

Prayer by Rev. Mr. McDonald.

Journal read and approved.

CALL OF THE COUNTIES.

Mr. Whatley offered the following resolution:

Resolved, That a special Committee of five be appointed to inquire into the cost of publishing the Journals of the Convention on the terms heretofore agreed upon with Mr. Smith; what are the usual number of the Journals printed for the House of Representatives, and the cost of the same; and the propriety of reducing the number, and making such modifications of the contract with Mr. Smith, as they deem advisable.

Mr. Clemens moved to postpone the the consideration of the resolution till Monday next. Carried.

Mr. Dowdell introduced an ordinance to restrict the Legislature in reference to the creation of debts, which was referred to the Committee on the Constitution.

Mr. Yelverton introduced an ordinance to adjourn the spring terms of the circuit and chancery courts, which he moved to refer to a select committee of one from each judicial circuit in the State.

Mr. Jemison moved to lay the ordinance on the table. Carried.

Mr. Earnest, introduced the following resolution, which was referred to the Committee on Public Expenditures.

Resolved, That the President of this convention draw his warrant on the Treasurer of the State for the sum of one hundred dollars, in favor of R. H. Wynne, former door-keeper of this convention, for extra services during the recess of said convention.

Mr. Henderson of Macon, introduced an ordinance to change article 6, section 13 of the Constitution, which was laid on the table.

Mr. Morgan offered the following resolution, which was adopted:

Resolved, That the Committee on the revision of the Constitution be allowed, in arranging the revision, to alter the numbers of the sections thereof.

Mr. Stone introduced an ordinance to amend and construe an ordinance entitled "an ordinance to provide for the military defence of the State of Alabama," adopted January 19th, 1861, which, on motion of Mr. Baker of Russell, was referred to the Judiciary Committee.

Mr. Kimball asked and obtained leave of absence for his colleague, Mr. Bulger, until next Monday.

CALL OF COMMITTEES.

Mr. Cochran, from the Committee on the Constitution, reported adversly to a petition to raise the jurisdiction of the justices of the peace to $100, which report was concurred in.

Mr. Cochran from same committee, reported adversely on the ordinance to amend section 24 of article 4 of the Constitution of this State. Concurred in.

Mr. Cochran from same committee, reported adversely on the resolution proposing to raise the jurisdiction of justices of the peace over amounts in controversy not exceeding $250. Report concurred in.

Mr. Cochran, from same committee, reported the following ordinance upon the subject of divorces:

"Divorces from the bonds of matrimony may be granted by suit in chancery, and the decree shall be final, unless an appeal is taken therefrom within three months from its enrollment. But no divorce shall be granted except for adultery."

Mr. Phillips moved to amend, by adding the words "or abandonment," after "adultery."

Mr. Baker of Russell, moved an indefinite postponement of the whole subject.

Mr. Morgan moved to postpone till Tuesday; and make it the special order for 12 o'clock M. Carried.

Mr. Morgan from the same committee, made the following report:

The committee on the constitution have instructed me to report,—

That in the opinion of the committee, it is not in accordance with the true theory of our government, nor is it sanctioned by a wise public policy, that the Judges of the Superior Courts of this State should be elected by a direct vote of the people.

In the American States that have adopted constitutions for their respective local governments, and have formed confederacies, the division of the great powers of government into legislative, executive and judicial departments, each independent of the other in their respective spheres, has universally prevailed. And in the confederacies formed by these States, there has been a steady adherence to this system.

This division of powers, and the independence of these three great departments of government, may be justly claimed as the foundation of the peculiar form of government styled republican amongst the North American States. It is a distinctive feature, without which no government could be called republican, in the sense in which that term is applied to this American idea of a republican form of government.

In the original formation of the early State governments, and in their constitutions, as well as in the constitution of the United States, the judicial department was made independent of the direct influence of the people. They had a voice in the selection of the agents who should appoint the judges, which agents were directly responsible to the people, but the judges, when chosen, were not directly accountable to the people for their conduct in office, nor were the people responsible to them. Each was independent of the other. The people made the laws through their representatives, and the judges construed and administered them.

The independence of the judiciary was as much a settled idea of the framers of republican institutions on this continent, and was as distinctly provided for in the several constitutions, as was the division of the powers of government into distinct and independent departments.

We have the right to assume, therefore, that the removal of the judicial department beyond the reach of the direct influence of the voting power of the people, was designed to be a part of the ground work of republican institutions, and that a departure from this plan is a departure from the form of government designated as republican by our fathers.

This radical change in the principles of our government, creating a feature entirely foreign to the original system, and destructive of its harmony, has been introduced, not in obedience to the demand of the people for greater power, nor for the purpose of correcting abuses of power by the judges, but because of the political advantages that would follow its adoption, and by way of indulgence to the false idea that the nearest approach to a pure democracy, would furnish the greatest security to personal liberty. Whereas, the recent history of the people and States of the American family has painfully demonstrated that personal liberty and security have the least protection when placed directly within the reach of the voting majority power. A republican government, embracing the checks and balances found in the constitution of the United States, and in most of the constitutions of the older States, affords to the people every power requisite to their safety, and gives them every assurance that so long as the people are pure, and faithful to the constitution, they will remain secure in their rights. This is the form of government approved by the people of America, and they have never lost faith in it.

The representative power of the people, as provided in the federal constitution, and in the original constitutions of the States, was quite as large as was consistent with the safety of those great and indispensable rights of the people, which the constitutions were framed to protect. The judiciary was carefully and effectually placed beyond the reach of the representatives of the people, except as to impeachments for official delinquencies. The judges were responsible to the people for the honesty of their conduct, but not responsible, except to the public conscience and to God, for the correctness of their judgments.

To extend the representative power of the people beyond its natural and just bounds, and to make the judiciary representatives of the people, is obviously a dangerous innovation upon the system of our government, and imminently hazardous to the security of life, liberty and property. For, if the judges are the representatives of the people, they must be faithless, if they do not respond to the opinions of those by whom they are elected. They would be more than human if they did not feel the temptation to represent the will of their constituents. And in thus responding to these opinions, they would represent a majority, and not all the people. Under such circumstances, the only remaining guaranty for the purity of the judiciary is the frail and unreliable hope that human nature, not always pure when removed from temptation, will remain pure when exposed, in a popular government, to the great temptation of the will and power of a majority of the people.

If a majority of the people must elect the judges by a direct vote, and if the judges may therefore feel secure in deciding questions, great or small, in accordance with the popular will, as expressed in their election, it comes to this at last, that the most sacred rights of the minority may be torn from them by a vote of the people. Such principles of government are plainly repugnant to constitutional liberty; and constitutions subject to be construed by the representatives of a majority, would become the most useful and convenient engines of destruction in the hands of the most dangerous despotism—an irresponsible voting majority.

The office of the representative is to make laws. The judge construes them when made. If the judge is also the representative, he will resort to judicial legislation in order to carry out the purposes of his party. The laws are made for all the people, and must not act unequally upon the people, otherwise, they are unconstitutional and void.

The judge, in dealing with the people, acts upon them individually, and not as a body. If each individual cannot, in the presence of the judge, demand his rights, because a majority of the people are against him, there is no possible security for the rights of individnals, except in the forbearance of the majority.

The majority have power enough, when they can make the laws to govern all the people, and to add to this power the right to construe the laws, and shut out even an inquiry into their constitutionality, is to create a dangerous despotism.

The individual can only look to the judge for protection, and if the judge may answer his demand for justice by a reference of the question to the people who elected him, his safety is at an end. There is no principle of representation in the relations of the judges to the people in a constitutional republic, such as our fathers gave us, and to introduce this principle, is to create a new form of government, not approved by our race in all its history, unsuited to our views of a pure judiciary, and condemned most signally in the experience of those States that have recently adopted such false ideas of government.

In all the great array of facts that have impelled the Southern States to disconnect themselves from a government which had ceased to respect that wonderful body of organic law contained in the constitution of the United States, nothing was more painfully true, or more destructive of our confidence in the people of the North, than the fact that judges, elected by the people, and the mere instruments of popular prejudice, would soil their ermine to deny us justice, because their robes were placed on their shoulders by the votes of a fanatical people...

It is equally true that the party now in power in the government of the United States, in order to employ the constitution for our destruction, have appealed to the ballot box for a repudiation of a decision of the Supreme Court of the United States upon the constitution, and boldly assert the responsibility of the judiciary to the public will. They declare it as one of the great purposes of their accession to power, that they will reform the judiciary, and make it bend to the opinions and will of the populace, so that the constitution shall be read according to their construction. This fact was the final destruction of the confidence of the people of the South in the power of the government of the United States to protect their rights.

The representative and the judge can not be united in the person of one man, so as to compel him to discharge both functions in one act, without the destruction of justice, and the violation of one or the other of his duties.

In a State where the executive power in not supreme, the judiciary is the only umpire to which the people can appeal, in the last resort, for justice and security. The constitution itself is to be construed by this umpire, and the decision is binding on the State and the people. The co-ordinate departments of the government can be brought before this umpire, and may be compelled to do justice, and to forbear to do wrong to a citizen. If this umpire is left under the constant and direct pressure of popular will, and is its representative, how can it be reasonably expected that on some occasion an unpopular cause will not be defeated without regard to justice, in deference to the voice of a majority? If such a thing may occur as a natural result of a false principle, the mere possibility of its occurrence is a conclusive reason why the principle should be discarded.

Without a pure judiciary, there is no safety in a republican government. Such governments fail of their whole purpose, if the most defenceless citizen, and the most unpopular cause cannot be protected with all the securities afforded by laws administered by a pure judiciary.

Justice to the people, and to the judges elected by them, under the present popular elective system in Alabama, requires the committee to express their belief that the selections of judges by the people has not resulted in placing inferior or unworthy men upon the bench, nor are the committee aware of any dereliction of duty on the part of the judges so elected, that might not as well have been expected under our former mode of electing the judges. But it is also our opinion that it is due to the fact that our people yet maintain their high traditional reverence for the law and the judiciary, that they have made such selections; and it is due to these considerations, and to the high personal integrity of the judges, that the evils of a bad system are not patent here, as they are confessedly notorious in some States that have suffered from this cause.

In times to come, when a dense population may be moved by those influences which always incline them to seek the power of the government for their own aggrandizement, it is fearfully certain that they will attempt to force their opponents into subjection, and dependence upon the majority, through the agency of the ballot box and the instrumentality of an elective judiciary.

It is needless to suggest that such a state of popular sentiment, should it ever occur, will prove destructive of every right which is not supported by the popular will, and that constitutional gaurantees for the rights of individuals will furnish them no protection.

The committee therefore recommend the adoption of the following amendments to the constitution of Alabama: Strike out Section 12 of the 5th Article of the Constitution, and all amendments of said section, and insert the following as Section 12 of Article 5:

SECTION 12. Chancellors and judges of this State, except judges of the court of probate, shall be nominated, and by and with the advice and consent of the Senate, be appointed by the Governor: Provided, that Judges and Chancellors now in office may respectively hold their offices during the term for which they were elected, unless removed by impeachment.

Mr. Morgan moved to postpone the consideration of this report until Wednesday, 13th March, and make it the special order for 12 o'clock on that day.

Mr. Watkins moved to amend the motion by ordering 100 copies printed.

Mr. Jewett moved to amend by ordering 1000 copies printed.

Mr. Inzer moved to print 200 copies, which motion was accepted by Mr. Morgan.

Mr. Baker of Russell, called for a division of the question.

The question was first taken on printing 1000 copies, which was lost.

The motion to print 200 copies was adopted, and the report was made the special order for Wednesday next at 12 o'clock M.

A message was received from his Excellency the Governor:

EXECUTIVE DEPARTMENT,
Montgomery, Ala., March 9th, 1861.

HON. WM. M. BROOKS, President State Convention:

Sir: In obedience to a resolution of the Convention, handed me this morning, I herewith transmit the two reports of the Collector of the Port of Mobile, showing its condition.

A. B. MOORE.

Abstract of receipts and disbursments, at the custom house at Mobile, State of Alabama, during a part of the month of January, 1861.

1861.			
January 12.	Balance due, late as per account rendered		$ 309 41
" 31.	Amount of payments on imports	$5,063 87	
" 31.	Amount of Hospital money	145 67	5,209 54
	Amount received		$5,518 95

DISBURSEMENTS.

January 31.	Payments on account of collection of revenue	$1,667 41	
	Payments on account of Marine Hospital	600 03	
	Payments on account of Light House establishment	100 64	$2,368 08
	Amount subject to draft of Governor		$3,150 87

Collector's office, State of Alabama, Mobile, January 31, 1861.

[Signed.] T. SANFORD, Collector.

Probable estimate of duties accruing on merchandise in bond, not available until entered for consumption.

1861.		
February 1.	Amount in bond	$100,000 00

Collector's office, State of Alabama, Mobile, February 1, 1861.

[Signed.] T. SANFORD, Collector.

Abstract of receipts and disbursements at the Custom House at Mobile, State of Alabama, during the month of February, 1861.

RECEIPTS.

1861.			
February 1.	Balance due State of Alabama this day		$2,939 15
" 28.	Amount payments on imports		7,469 33
" 28.	Amount of Hospital money collected		508 61
	Amount received		$10,917 09

DISBURSEMENTS.

February 28.	Payments on account of collecting revenue	$3,231 02	
	Payments on account of Marine Hospital	960 46	
	Payments on account of Light House establishment	982 88	
	Subject to order of Governor		$5,742 73

Collector's office, Mobile, 1st March, 1861.

[Signed.] T. SANFORD, Collector.

The report was laid on the table, and two hundred copies ordered to be printed.

Mr. Cochran moved that the injunction of secresy be kept upon the ordinance of yesterday. Carried.

Convention went into secret session, and after so remaining for some time, the doors were opened.

Mr. Mitchell, from a select committee, made the following report:

"The committee appointed to make arrangements for the visit of the Convention to President Davis, have selected Monday evening next, at 9 o'clock, as the time, and the parlor of the Exchange Hotel as the place, for the reception. The members of the Convention will meet at the reading room of the Exchange Hotel on said evening, at half-past 8, organize, and proceed to the reception room, where they will be introduced to the President by the President of this Convention.

"Arrangements will be made and reported for the visit to Vice President Stephens as soon as the committee can confer with him."

The Convention then adjourned till Monday morning, 10 o'clock.

SECRET SESSION.

Saturday, March 9, 1861.

The Convention having gone into secret session,

Mr. Clemens, Chairman of the Committee on Military Affairs, made the following report:

"The Committee on Military Affairs, to whom was referred the 'ordinance to turn over to the Government of the Confederate States the arms and munitions of war belonging to this State, and for other purposes,' have had the same under consideration, and have instructed me to report the following amendments:

"1. Insert the words 'not heretofore distributed or ordered to be distributed' after the word 'war,' in the fourth line of second section.

"2. Insert the word 'and' after the word 'forts,' in the fifth line of second section. Strike out the words 'and navy yards,' in the sixth line of second section.

"3. Strike out all after the word 'State,' in the sixth line of second section, to the word 'provided,' in the tenth line of second section.

"4. Strike out the third section; correct the number of the last section, by inserting '3' instead of '4.'"

Mr. Clemens moved the adoption of the first amendment.

Mr. Coleman moved to amend as follows:

"Strike out 'or ordered to be distributed,' and after the word 'distributed' insert 'to organized military companies of the State.'"

Mr. Cochran moved to lay the first amendment of the committee on the table.

The yeas and nays were called. Ayes 64—nays 23.

Yeas—Messrs. President, Baker of Russell, Barclay, Barnes, Beard, Beck, Bolling, Bragg, Catterlin, Clark of Marengo, Cochran, Coleman, Coman, Crawford, Creech, Crook, Crumpler, Curtis, Daniel, Dargan, Davis of Covington, Davis of Pickens, Dowdell, Earnest, Foster, Gibbons, Gilchrist, Green, Hawkins, Henderson of Macon, Henderson of Pike, Howard, Humphries, Jemison, Jewett, Jones of Lauderdale, Johnson, Ketchum, Leonard, Love, McClanahan, McClellan, McPherson, McKinnie, Mitchell, Morgan, Owens, Phillips, Posey, Ralls, Rives, Ryan, Shortridge, Slaughter, Starke, Stone, Taylor, Watts, Webb, Whatley, Williamson, Wood, Yelverton—64.

Nays—Messrs. Brasher, Clarke of Lawrence, Clemens, Coffey, Davis of Madison, Edwards, Ford, Franklin, Hood, Jones of Fayette, Potter, Russell, Sanford, Sheets, Sheffield, Smith of Tuscaloosa, Steadham, Steele, Timberlake, Watkins, Whitlock, Wilson, Winston—23.

So the first amendment was laid on the table.

The hour of twelve having arrived, which was set for the consideration of the ordinance in relation to new counties, on motion of Mr. Cochran it was postponed.

Mr. Cochran moved to concur in the second amendment reported by the committee, to strike out "and navy yards" in the second section, and insert the word "and" between the word "forts" and the word "arsenals," and the motion was carried.

Mr. Cochran moved to lay the third amendment, reported by the committee, on the table. This motion was carried.

Mr. Cochran moved to amend the original ordinance reported by the committee, by inserting, after the word "States" in the tenth line of the 2nd Section, the words "excepting rifles, muskets and small arms." Carried.

The remainder of the amendments, reported by the committee, were concurred in.

Mr. Watts moved to suspend the rule as to adjournment for this day. Carried.

The question being on the adoption of the ordinance, as amended, the ayes and noes were called for. Ayes, 64; noes, 13.

Yeas—Messrs. President, Bailey, Baker of Russell, Barclay, Barnes, Beard, Beck, Bolling, Bragg, Catterlin, Clarke of Marengo, Cochran, Coleman, Crawford, Creech, Crook, Crumpler, Curtis, Daniel, Dargan, Davis of Covington, Davis of Pickens, Dowdell, Foster, Gibbons, Gilchrist, Green, Hawkins, Henderson of Macon, Henderson of Pike, Herndon, Howard, Humphries, Inzer, Jemison, Jewett, Jones of Lauderdale, Johnson, Ketchum, Love, McClanahan, Mitchell, McClellan. McKinnie, Morgan, Owens, Phillips, Posey, Rives, Ryan, Shortridge, Slaughter, Smith of Henry, Smith of Tuscaloosa, Starke, Stone. Watkins, Watts, Webb, Whatley, Williamson, Wood, Yelverton.

Nays—Messrs. Brasher, Clarke of Lawrence, Clemens, Davis of Madison, Ford, Franklin, Jones, of Fayette, Kimball, Potter, Sanford, Sheets, Whitlock and Wilson.

The ordinance was adopted.

By general consent, the injunction of secresy was removed from the ordinance just passed.

The Convention went into open session.

OPEN SESSION.

MONTGOMERY, ALA., March 11th, 1861.

The Convention met pursuant to adjournment.

Prayer by Rev. Mr. Davis.

Journals were read and approved.

Mr. Jewett introduced the following resolution, which was referred to the committee on public lands:

Resolved, That the committee on Public Lands be instructed to inquire into the expediency of extending the provisions of the Charter of the Pensacola and Mobile Railroad and Manufacturing Company, so as to enable said company to continue its road and connect the waters of the Perdido River with the waters of Mobile Bay; and that they report upon the expediency of granting alternate sections of the public lands within six miles on either side of said road to aid in its construction.

Mr. Phillips asked leave of absence for Mr. Baily. Granted.

Mr. Morgan introduced the following resolutions, which were adopted:

Resolved, That the engrossing clerk be directed to prepare a draft of the Constitution of the State, under the direction of the committee on revision, to be submitted to this body for its action.

Resolved, That the committee on the revision of the Constitution be authorized, in preparing the draft of the Constitution, to strike out all such matter as in the opinion of the committee is at present of no practical value, and that they report the matter so stricken out at the same time that the draft of the constitution as revised by the committee is presented to the convention for its action.

Mr. Coman introduced the following resolution, which was adopted:

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of repealing an act of the Legislature of Alabama, entitled "An act to authorize the Governor to appoint a Military Board," approved February 5th, 1861.

Mr. Foster presented a petition in relation to diminishing the size of the counties.

Mr. Watkins moved its reference to the committee on the Constitution. Lost. It was referred to the select committee on reducing the counties.

Mr. Foster moved a reconsideration of the report of the committee on the Constitution, which was concurred in on Saturday, unfavorable to the change of the Constitution, making Sheriffs ineligible to re-election, which was lost.

Mr. Bragg introduced the following resolution, which was adopted:

Resolved, That the Committee on Imports and Duties be instructed to inquire into the expediency of turning over to the Provisional Government the Custom Houses at Mobile and Selma, and the Marine Hospital at Mobile, the lighthouses within the jurisdiction of the State, and such moneys as the collectors of the Ports may have in hand at the time the order of transfer is made.

Mr. Humphries introduced an ordinance to amend an ordinance entitled "an ordinance to reorganize the Militia of the State of Alabama," adopted January 23d, 1861.

Mr. Whatley moved its reference to the Military Committee. Carried.

Mr. Shortridge offered the following resolution:

Resolved, That the Committee on the Constitution be instructed to inquire into the expediency of amending the Constitution so as to establish the permanent seat of Government of the State at Montgomery.

Mr. Clemens moved to strike out the words "at Montgomery." Carried.

The question being upon the adoption of the resolution, as amended, it was lost.

Mr. Clemens moved that the Convention go into secret session. Carried.

At 10 minutes before 12 o'clock the doors were again opened.

Mr. Foster made a motion to suspend the call of the committees, to enable him to introduce the following resolution, which motion prevailed, and the resolution was adopted:

Resolved, That the President of this convention be authorized to communicate with one of the Commissioners of the Southern Confederacy, now in Washington, so as to receive a daily despatch for the convention, to be communicated in secret session.

The resolution of Mr. Whatley, relative to the publishing of the journals of the State Convention, was taken up. The question being its reference to a select committee, it was so referred.

Mr. President appointed Messrs. Whatley, Clarke of Marengo, Creech, Russell and Green, said committee.

The hour of 12 having arrived, the convention proceeded to the consideration of the special orders, which was, first, the report of the select committee on reducing the size of the counties.

Mr. Johnson, from said committee, made the following majority report:

The special committee to whom was referred an ordinance entitled "an ordinance in relation to reducing the size of counties in this State," together with the various amendments proposed thereto, have had the same under consideration, and beg leave to report the following ordinance:

"An ordinance to amend the constitution in relation to the size of the counties in this State."

Mr. McClanahan, from the same committee, made the following minority report, and moved that said report be adopted:

"The undersigned, a member of the Committee on County Boundaries, to whom was referred an ordinance in relation to changing the size of the counties in this State, and other propositions therewith submitted, with the majority of said committee has considered the same, and asks leave to make the following minority report:

"The undersigned is of opinion that the constitution of the State as it now stands, on the subject of the formation of counties, should not be changed at this time, for many reasons, among which are the following, viz:

1. This convention was not called with a view to the consideration of the proposed changes;
2. The subject of the reduction of the size of the counties of the State has not been considered and passed upon by a large majority of the people, and it is but right that their opinions should be consulted and respected on this subject;
3. The proposed change may endanger the location of many of the county sites in this State, and thereby interfere with vested rights;
4. The proposed change will increase the annual expenses of our State government, and for that reason should be avoided;
5. The proposed change may make it necessary to increase the number of representatives and senators, or the

tendency will be to make it necessary in elections therefor to bracket the smaller and weaker on to the larger and stronger counties, either of which results, for the sake of harmony and the rights of minorities, should be prevented;

6. The proposed change will make it more difficult and expensive to provide and maintain efficient county administration for the counties;

7. The proposed change will be fruitful in originating a system of private speculations throughout the State, that will subordinate the public to individual interests.

For these and other reasons, the undersigned reports that it is inexpedient to make the proposed change, or any other change, on the subject of the size of the counties of this State.

The yeas and nays were called on its adoption. Yeas 38—nays 44.

Yeas—Messrs. Allen, Barnes, Beard, Beck, Blue, Bolling, Clarke of Lawrence, Cochran, Coman, Crawford, Curtis, Daniel, Davis of Pickens, Franklin, Gay, Gibbons, Gilchrist, Green, Henderson of Macon, Henderson of Pike, Herndon, Jones of Fayette, Love, McClanahan, McClellnn, McPherson, Mitchell, Sheets, Sheffield, Shortridge, Smith of Tuscaloosa, Steele, Watkins, Webb, Williamson, Wood and Wilson.

Nays—Messrs. Brasher, Bulger, Catterlin, Clarke of Marengo, Coffey, Creech, Crook, Crumpler, Davis of Covington, Davis of Madison, Earnest, Edwards, Ford, Forrester, Foster, Hawkins, Howard, Inzer, Jewett, Jones of Lauderdale, Johnson, Kimball, Leonard, McKinney, Morgan, Owens, Phillips, Posey, Potter, Ralls, Rives, Russell, Ryan, Sanford, Slaughter, Smith of Henry, Starke, Taylor, Timberlake, Watts, Whatley, Whitlock, Winston and Yelverton.

It was defeated.

Mr. Jones of Lauderdale moved to lay the majority report on the table. Carried. Yeas 45—nays 40.

Yeas—Messrs. President, Allen, Barclay, Barnes, Beard, Beck, Blue, Bolling, Clarke of Lawrence, Cochran, Coman, Crawford, Daniel, Dargan, Davis of Pickens, Dowdell, Franklin, Gay, Gibbons, Gilchrist, Green, Henderson of Macon, Henderson of Pike, Herndon, Hood, Jones of

Fayette, Jones of Lauderdale, Love, McClanahan, McClellan, McPherson, Mitchell, Posey, Sheets, Sheffield, Shortridge, Smith of Tuscaloosa, Steele, Stone, Watkins, Watts, Webb, Williamson, Wilson and Wood.

Nays—Messrs. Brasher, Bulger, Catterlin, Clarke of Marengo, Coffey, Coleman, Creech, Crook, Crumpler, Davis of Covington, Davis of Madison, Earnest, Edwards, Ford, Forrester, Foster, Hawkins, Howard, Inzer, Jewett, Johnson, Ketchum, Leonard, McKinney, Morgan, Phillips, Potter, Ralls, Rives, Russell, Ryan, Sanford, Slaughter, Smith of Henry, Starke, Taylor, Timberlake, Whatley, Whitlock, Winston and Yelverton.

On motion of Mr. Clarke of Marengo, the convention adjourned until to-morrow morning, at 10 o'clock.

SECRET SESSION.

MONTGOMERY, ALA., March 11, 1861.

The convention went into secrect session, and

Mr. Clemens introduced an ordinance to provide for the transfer of certain troops therein mentioned to the Confederate States of America.

Mr. Smith of Tuscaloosa offered the following amendment, to come at the end of the proviso: "and any member of the company may withhold his assent."

On motion of Mr. Clemens, the amendment was laid on the table.

Mr. Clarke of Lawrence moved the following amendment: "provided, however, that the assent of said officers, musicians and privates shall be first obtained, in the manner hereinafter provided in the case of volunteers."

Mr. Clemens moved to lay the amendment on the table. Carried.

Mr. Smith of Tuscaloosa moved the following amendment: before the words "Confederate States" insert "the provisional government of."

On motion of Mr. Clemens, the amendment was laid on the table.

Mr. Williamson offered the following amendment:

Amend by inserting the word "assent," where it occurs in the ordinance.

On motion of Mr. Clemens it was laid on the table.

Mr. Posey offered the following amendment: "Should any of the volunteer companies organized by the State of Alabama, desire to enter the service of the Confederate Government, the Governor of Alabama may permit any such company or companies who may volunteer to serve in the armies of the Confederate States, to enter such service, provided such company or companies may not in the opinion of the Governor, be required for the service of Alabama.

Mr. Whatley demanded the previous question, which was sustained.

And the question was on the adoption of the ordinance, and the yeas and nays were called for. Yeas 64—nays 24.

Yeas—Messrs. President, Allen, Barnes, Beard, Beck, Blue, Bolling, Bragg, Catterlin, Clarke of Marengo, Clemens, Cochran, Coffey, Coleman, Crawford, Crook, Crumpler, Curtis, Daniel, Dargan, Davis of Covington, Davis of Madison, Davis of Pickens, Earnest, Forrester, Foster, Gibbons, Gilchrist, Hawkins, Henderson of Pike, Herndon, Hood, Howard, Inzer, Jemison, Jewett, Kimball, Leonard, Love, McClanahan, McClellan, McPherson, McKinnie, Mitchell, Morgan, Owens, Phillips, Ralls, Rives, Ryan, Sheffield, Shortridge, Slaughter, Smith of Henry, Starke, Stone, Taylor, Timberlake, Watts, Webb, Whatley, Whitlock, Williamson, Wood, Yelverton.

Nays—Messrs. Barclay, Brasher, Clarke of Lawrence, Coman, Creech, Edwards, Ford, Franklin, Gay, Green, Jones of Fayette, Jones of Lauderdale, Johnson, Posey, Potter, Russell, Smith of Tuscaloosa, Steadham, Steele, Watkins, Wilson, Winston.

And the convention went into open session.

OPEN SESSION.

MONTGOMERY, Tuesday, March 12, 1861.

The convention met pursuant to adjournment.

Prayer by Rev. Dr. Petrie.

Journal read and approved.

CALL OF THE COUNTIES.

Mr. Cochran offered the following resolution, which was unanimously adopted:

Resolved, That the election of Jefferson Davis, President, and Alexander H. Stephens, Vice President, of the Provisional Government of the Confederate States, meets with the approval of this convention, and the same is hereby fully ratified by the people of Alabama.

Mr. Cochran introduced an ordinance to provide for the sale of provisions belonging to this State, which was referred to the Military Committee.

Mr. Morgan offered the following resolution, which was adopted:

Resolved, That the Committee on the Judiciary and Internal Affairs, be instructed to enquire into and report such amendments as may in their opinion be requisite to conform Chapter 1 of Title 2 of the Code of Alabama to the existing state of affairs.

Mr. Bragg offered the following resolution, which was adopted:

Resolved, That the Committee on the Constitution be instructed to enquire into the expediency of so amending its provisions in relation to the Executive veto, as to make such veto more effective.

Mr. Bailey introduced the following resolution, which was referred to the Committee on Public Expenditures:

Resolved, That Frank L. Smith, Assistant Secretary of this convention, be allowed $4 per diem during the recent recess of this convention, for services rendered under instructions from said body.

Mr. Jemison offered the following, which was adopted:

Resolved, That the President of this convention appoint a committee of five, to attend and represent the State of Alabama in the convention about to assemble at Atlanta, Ga., to promote direct trade and domestic manufactures in the Confederate States of America.

Mr. Yelverton introduced an ordinance in relation to the Elba land district, which was referred to the Committee on Public Lands.

Mr. Yelverton moved to suspend the call of committees, to enable him to withdraw an ordinance in relation to adjourning the Spring terms of the Chancery and Circuit Courts of this State, which he introduced on the 9th of March, Carried, and the ordinance was withdrawn.

Mr. Webb asked leave of absence for Mr. Coleman. Granted.

Mr. Humphries asked leave of rbsence for Mr Ketchum. Granted.

CALL OF COMMITTEES.

Mr. Clemens, from Military Committee, reported amendments, and as amended, recommended the passage of the ordinance to give efficiency to the ordinance of 19th January, 1861, "To provide for the military defence of the State of Alabama." The report of the committee was concurred in, and the ordinance as amended by the committee was adopted.

Mr. Bragg, from Committee on Imposts and Duties, reported "an ordinance to confer upon the Government of the Confederate States of America, jurisdiction over the Custom-house and Marine Hospital at Mobile, and certain lighthouses, lights and bouys in Mobile bay, and for other purposes. Report concurred in, and ordinance adopted.

Mr. Bragg, from same committee, reported "an ordinance to transfer to the Government of the Confederate States of America the money in the hands of the Collector at the Port of Mobile. Report concurred in, and the ordinance adopted.

Mr. Dowdell, chairman of committee on Public Expenditures; made the following report:

The committee on Public Expenditures to whom was referred the communication from the Auburn Guards asking payment of a debt contracted for knapsacks for the use of said company, having had the same under consideration, report that it is in the power of the executive to grant the relief asked. Your committee asks to be discharged from further consideration of the subject.

The report was concurred in, and the committee discharged.

Mr. Whatley, chairman of a special committee, raised under his resolution on Monday, to enquire into the expediency of altering and amending the contract with Mr.

Smith, previously entered into, for printing the Journals with debates, reported as follows:

The special committee on publishing the Journals have had the subject under consideration and instructed me to make the following report: The plan heretofore adopted by the convention, to publish the Journals in connection with the debates upon the various questions pending before the convention, would render the Journals very voluminous, and much more expensive to the State, than was supposed by the committee on printing when the report on printing the Journals was adopted. Moreover, this committee is satisfied that the number of the Journals proposed to be taken by the report heretofore adopted is much larger than necessary. The amount proposed to be taken is equal to the usual amount of the House and Senate Journals. The two Houses usually take 800 copies, each, of their respective Journals, which would be 1600 copies proposed to be taken by this convention under the report heretofore adopted.

Besides, your committee are satisfied that the cost of publishing the Journals on the terms proposed would largely exceed their cost in the ordinary mode, and would cost the State not less than five thousand dollars.

The usual number of the Journals printed for the House of Representatives is 800 copies, and the cost to the State for the same is about ($1600) sixteen hundred dollars.

Mr. Wm. R. Smith, a member of our body, proposes to publish a book, to be bound in good style, containing a sketch of the debates before the convention on the more important questions which were discussed, and for that purpose desires certified copies of portions of the Journal. The book, in addition, will contain the reports and speeches by commissioners to and from this State. In order that Mr. Smith may carry out his object, your committee recommend that he be furnished by the Secretary with such papers and parts of the Journals as he desires.

Your committee recommend that the convention require the Journals to be printed in the ordinary mode, and that the Convention order 400 copies to be printed instead of 800, and in lieu of the other 400 copies of the

Journals that the Convention purchase of Mr. Smith 300 copies of his debates, one copy for each member of the Convention, and the residue for the State.

The committee recommend the adoption of the following resolution, instead of the report on printing heretofore adopted:

Resolved, That the State Printers furnish the convention with 400 copies of the Journals of the convention, to be printed in the usual mode published for the House of Representatives, and that the convention purchase of Mr. W. R. Smith 300 copies of his debates, when published, to be paid for when delivered to the Secretary of State, and not to cost exceeding $5 per copy.

The report was concurred in, and the resolution adopted.

Mr. Clarke, of Marengo, offered "an ordinance to prevent suits in the Courts of Alabama in certain contingencies," which was referred to the Committee on the Judiciary.

Mr. Morgan offered the following amendments to the Constitution, which, on motion, were referred to the Committee on the Constitution.

Amend the amendment to the Constitution—12th Section of the 5th Article—by adding thereto: "But no judge of any inferior court shall exercise the duties of judge of any other inferior court after the first Monday in March, 1862."

Mr. Humphries introduced "An ordinance to repeal the act of the General Assembly of the State of Alabama, entitled 'an act to regulate Judicial Proceedings, and for other purposes,' approved February —, 1861," which was referred to the Committee on the Judiciary.

Mr. Jewett, from the Special Committee on Public Lands, reported an ordinance in relation to the waste and unappropriated lands in the State of Alabama, which was referred to the Committee on Printing with instructions to print 200 copies, and the ordinance was made the special order for Thursday, at 12 M.

Mr. Clarke, of Lawrence, offered the following resolutions:

1. Resolved, That the political power in all free governments is inherent in the people, and that any attempt

to infringe this great principle is dangerous in policy and directly subversive of civil liberty.

2. Resolved, That the right of every people to frame the system of government under which they are to live, is a fundamental doctrine in all free governments, and should not be questioned or impaired.

3. Resolved, That the acknowledgment of these established principles, the spirit and genius of American institutions, and the well ascertained precedents of republican usage, imperatively demand that the "Constitution of the Confederate States of America" shall be submitted to the people of this State for their ratification or rejection.

Mr. Davis, of Madison, moved to lay the resolutions on the table, and the yeas and nays were called. Yeas 57—nays 29.

Yeas—Messrs. President, Baily, Barnes, Beck, Blue, Bolling, Bragg, Catterlin, Clarke of Marengo, Clemens, Cochran, Coffey, Crawford, Creech, Crook, Crumpler, Curtis, Daniel. Dargan, Davis of Covington, Davis of Madison, Davis of Pickens, Dowdell, Earnest, Foster, Gibbons, Gilchrist, Hawkins, Henderson of Macon, Henderson of Pike, Herndon, Humphries, Jemison, Jewett, Leonard, Love, McClanahan, McPherson, McKinnie, Mitchell, Morgan, Owens, Phillips, Ralls, Rives, Ryan, Shortridge, Silver, Smith of Henry, Starke, Stone, Taylor, Watts, Webb, Whatley, Williamson, Yelverton—57.

Nays—Messrs. Barclay, Brasher, Bulger, Coman, Edwards, Ford, Franklin, Gay, Green, Inzer, Jones of Fayette, Jones of Lauderdale, Johnson, Kimball, McClellan, Posey, Russell, Sanford, Sheets, Sheffield, Slaughter, Smith of Tuscaloosa, Steadham, Steele, Timberlake, Watkins, Whitlock, Wilson.

The motion was carried.

Mr. Clarke of Lawrence excused himself from voting, on the ground that he had agreed to pair off with Mr. Coleman, who was absent.

Mr. Davis of Madison offered "an ordinance to regulate the staff of the Major-General appointed under the ordinance of the 19th January, 1861." Adopted.

Mr. Clemens, Chairman of Military Committee, reported a substitute for the ordinance referred to said

Committee, entitled, "An ordinance to provide for the sale of provisions belonging to this State, and for other purposes." Adopted.

Mr. Cochran moved to postpone the special order, to offer the constitutional amendment in relation to granting divorces. Carried.

On motion of Mr. Morgan, the Convention adjourned until 3½ o'clock P. M.

TUESDAY EVENING—3½ O'CLOCK.

Mr. Posey offered the following resolution:

"Resolved, That the Committee on the Constitution be instructed to inquire into the expediency of so amending the fourth section, fifth article, of the Constitution, as shall require one term of the Supreme Court to be held annually, at Huntsville, or some other place in North Alabama."

Mr. Posey also presented a memorial from a number of attorneys in North Alabama on the same subject, and his motion, the resolution, and memorial, were referred to the Committee on the Constitution.

Mr. President laid before the Convention the following communication:

CONVENTION OF THE CONFEDERATE STATES OF AMERICA,
Montgomery, Alabama, March 12, 1861.

HON. WM. M. BROOKS, Montgomery, Ala.:

Sir—I herewith transmit to you a certified copy of the Constitution of the Confederate States of America, as it was finally adopted by the unanimous vote of the convention, to be placed before the State Convention over which you preside, for its approval and ratification.

It will be seen that the Convention here have conformed to the general wish of the people of these States, in adopting a constitution upon the general principles of the Constitution of the United States. The departures from the provisions of that instrument have been suggested by the experience of the past, and are intended to guard against the evils and dangers which led to the dissolution of the late Union. This Constitution is now submitted, with confidence, to the State Conventions, for their action.

Respectfully,
HOWELL COBB,
President of Convention C. S. A.

Mr. Webb offered the following resolution, which was adopted:

"Resolved, That two hundred copies of the Constitution of the Confederate States of America be printed for the use of this convention."

Mr. Watts offered "an ordinance to ratify and adopt the Constitution of the Confederate States of America."

On motion of Mr. Cochran, the convention went into committee of the whole, for the purpose of considering the constitution and the ordinance; and Mr. Webb was called to the chair.

The committee, after being in session some time, rose and reported the ordinance offered by Mr. Watts, to ratify and adopt the Constitution of the Confederate States of America, and recommended its passage.

Mr. Jemison moved to amend as follows:

"Strike out all after the word 'hereby,' and insert the following: 'Be referred to a convention of the people of the State, the members of which shall be elected by the qualified electors for members of the General Assembly, at such time and place as this convention may hereafter prescribe.

Mr. Jones of Lauderdale moved to adjourn. Carried.

WEDNESDAY, March 13, 1861.

Prayer by Rev. Mr. Tolbert.

Journal read and approved.

A message was received from the Governor, in relation to providing for certain expenses, incurred in publishing the acts of the late called session of the Legislature, which was read; and

Mr. Clemens offered an ordinance to provide for certain expenses in preparing the acts of the late (called) "session" for the press, and the distribution of the same; and, on motion of Mr. Clemens, the communication of the Governor and the ordinance were referred to the Committee on Commerce and Finance.

Mr. Jemison moved to reconsider the vote taken yesterday on Mr. Clarke's resolution.

Mr. Jemison withdrew by leave.

Mr. Jemison moved to reconsider the vote adopting the resolution offered by him yesterday, to send delegates to the Atlanta Convention. Carried.

Mr. Jemison then moved to strike out "five," where it occurs, and insert "seven," and require the delegates to be chosen from each Congressional District.

Mr. Bulger moved to amend by inserting words to the effect that "said delegates should receive no compensation." Lost.

The question was on the adoption of the resolution, and the yeas and nays were demanded, and resulted—yeas 59; nays 27.

Yeas.—Messrs. Allen, Bailey, Barnes, Beard, Blue, Bolling, Bragg, Catterlin, Cochran, Coman, Crawford, Crook, Crumpler, Davis of Covington, Davis of Madison, Davis of Pickens, Dowdell, Earnest, Foster, Gibbons, Gilchrist, Hawkins, Henderson of Macon, Henderson of Pike, Herndon, Jemison, Jones of Lauderdale, Johnson, Kimball, Leonard, Love, McClanahan, McClellan, McPherson, McKinnie, Mitchell, Morgan, Owens, Phillips, Posey, Potter, Ralls, Rives, Ryan, Sheffield, Shortridge, Slaughter, Smith of Henry, Smith of Tuscaloosa, Starke, Stone, Taylor, Timberlake, Watkins, Watts, Webb, Whatley, Wood—59.

Nays—Messrs. Baker of Russell, Barclay, Brasher, Bulger, Clarke of Marengo, Clark of Lawrence, Coffey, Creech, Curtis, Daniel, Edwards, Ford, Forrester, Franklin, Gay, Green, Hood, Jones of Fayette, Sheets, Silver, Steadham, Steele, Whitlock, Williamson, Wilson, Winston—27.

Mr. Brooks (Mr. Webb in the chair) moved to suspend call of counties, to take up ordinance for adopting and ratifying the permanent Constitution of the Confederate States. Carried.

The question was on the adoption of the amendment of Mr. Jemison, offered on yesterday; and Mr. Earnest was entitled to the floor.

Mr. Cochran asked leave to introduce his colleague, Jefferson Buford, delegate from Barbour county, who had been elected to fill the vacancy occasioned by the resignation of Alpheus Baker.

Mr. Buford came forward and enrolled his name, and took his seat in the convention.

Mr. Brooks moved to lay the amendment on the table, and the yeas and nays were demanded, and resulted as follows: yeas 31—nays 61.

Yeas—Messrs. President, Bailey, Blue, Bolling, Bragg, Catterlin, Cochran, Creech, Crook, Curtis, Dargan, Davis of Pickens, Gibbons, Gilchrist, Hawkins, Henderson of Pike, Howard, Jewett, Love, McClanahan, McPherson, Mitchell, Morgan, Phillips, Rives, Ryan, Silver, Smith of Henry, Starke, Stone and Whatley.

Nays—Messrs. Allen, Baker of Russell, Barclay, Barnes, Beard, Brasher, Buford, Bulger, Clarke of Marengo, Clark of Lawrence, Clemens, Coffey, Coman, Crawford, Crumpler, Daniel, Davis of Madison, Dowdell, Earnest, Edwards, Ford, Forrester, Foster, Franklin, Gay, Green, Henderson of Macon, Herndon, Hood, Jemison, Jones of Fayette, Jones of Lauderdale, Johnson, Kimball, Leonard, Lewis, McClellan, McKinnie, Owens, Posey, Potter, Ralls, Russell, Sanford, Sheets, Sheffield, Shortridge, Slaughter, Smith of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Watkins, Watts, Webb, Whitlock, Williamson, Wilson, Winston, Wood and Yelverton.

Mr. Clarke of Lawrence paired off with Mr. Coleman. absent.

Pending discusuion, Mr. Morgan moved to suspend the rule as to adjournment. Carried.

Mr. Davis of Madison moved the previous question, and the question was, shall the main question be now put, and the call for the previous question was sustained. Yeas 53—nays 36.

Yeas—Messrs. President, Bailey, Barnes, Beck, Blue, Bolling, Bragg, Buford, Catterlin, Clarke of Marengo, Clemens, Cochran, Crawford, Creech, Crook, Crumpler, Curtis, Daniel, Dargan, Davis of Covington, Davis of Madison, Davis of Pickens, Dowdell, Earnest, Foster, Gibbons, Gilchrist, Hawkins, Hendersonof Macon, Henderson of Pike, Herndon, Howard, Jewett, Love, McClanahan, McPherson, McKinnie, Mitchell, Morgan, Owens, Phillips, Ralls, Rives, Ryan, Shortridge, Silver, Smith of Henry, Starke, Stone, Webb, Whatley, Williamson and Wood.

NAYS—Messrs. Allen, Baker of Russell, Barclay, Brasher, Bulger, Coffey, Coman, Edwards, Ford, Forrester, Franklin, Gay, Green, Hood, Jemison, Jones of Fayette, Jones of Lauderdale, Johnson, Kimball, McClellan, Posey, Potter, Russell, Sanford, Sheets, Sheffield, Slaughter, Steadham, Steele, Watkins, Watts, Whitlock, Wilson, Winston and Yelverton.

The question being on the adoption of the ordinance of ratification, the yeas and nays were demanded, and resulted, yeas 87—nays 5; and the ordinance was adopted.

Before the Secretary commenced the call of the yeas and nays, Mr. Jones of Lauderdale presented the following protest, and asked that it should be spread upon the journals:

"The undersigned, members of the Alabama State Convention, believing it to be the duty of said convention to submit the constituion offered for ratification by the Confederate States of America to the people of Alabama for ratification or rejection, hereby protest against the action of the convention in ratifying said constitution without such reference. But, believing a refusal on our part to vote for its ratification might be construed by the enemies of the State into an expression on our part of an intention to assist or raise a party with the purpose of resisting the action of the State, thereby inducing want of confidence abroad, and encouraging our Northern neighbors to attempt to coerce the South into submission, we vote, therefore, for the ratification of the constitution, and ask that this protest be spread on the journals.

HENRY C. SANFORD,
JOHN J. BRASHER,
JONATHAN FORD,
TIMOTHY J. RUSSELL,
A. KIMBALL,
WM. D. WINSTON,
W. A. HOOD,
W. R. SMITH,
H. C. JONES,
S. C. POSEY,
JOHN A. STEEL,
W. H. EDWARDS,
W. S. WATKINS,
LANG. C. ALLEN,
WRENSTON STEADHAM.

Yeas—Messrs. President, Allen, Bailey, Baker of Russell, Barclay, Barnes, Beard, Beck, Blue, Bolling, Bragg, Brasher, Buford, Catterlin, Clarke of Marengo, Cochran, Coffey, Coman, Crawford, Creech, Crook, Crumpler, Curtis, Daniel, Dargan, Davis of Covington, Davis of Madison, Davis of Pickens, Dowdell, Earnest, Edwards, Ford, Forrester, Foster, Gay, Gibbons, Gilchrist, Green, Hawkins, Henderson of Macon, Henderson of Pike, Herndon, Hood, Howard, Jemison, Jewett, Jones of Fayette, Jones of Lauderdale, Johnson, Kimball, Leonard, Love, McClanahan, McClellan, McPherson, McKinnie, Mitchell, Morgan, Owens, Phillips, Posey, Potter, Ralls, Rives, Russell, Ryan, Sanford, Sheffield, Shortridge, Silver, Slaughter, Smith of Henry, Smith of Tuscaloosa, Starke, Steadham, Steele, Stone. Taylor, Timberlake, Watkins, Watts, Webb, Whatley, Whitlock, Williamson, Winston, Wood and Yelverton.

Nays—Messrs. Bulger, Franklin, Jones of Fayette, Sheets and Wilson.

Mr. Clarke of Lawrence did not vote, having paired off with Mr. Clemens.

Mr. President declared that the ordinance was adopted, and the constitution of the Confederate States of America was approved, ratified and adopted by the people of Alabama.

Mr. Earnest offered the following resolution, which was postponed until to-morrow, at 10 o'clock:

Resolved, That the President appoint a special committee, to consist of one member from each judicial circuit of this State, to lay off the State into nine congressional districts, to be laid off as compactly as possible, and each to contain as near fifty thousand population as can be conveniently done without dividing a county.

On motion, the convention adjourned until to-morrow morning.

THURSDAY March 14, 1861.

The convention met at 10 o'clock A. M.

Prayer by Rev. Mr. Cobb.

Mr. Davis, of Madison, asked leave to have the vote of his colleague, Mr. Clemens, recorded on the question of ratifying the Constitution of the Confederate States, and leave was granted and it was recorded yea.

Mr. Humphries asked leave to record his vote upon the ratification also, and he voted in the affirmative.

Mr. Earnest introduced a resolution providing for the appointment of a committee of one from each judicial circuit, to lay off the State into nine congressional districts, giving to each district as near as possible, one ninth of the population of the State, without dividing a county.

Mr. Jones of Fayette, offered a substitute, providing that it be done on the "white basis.."

Mr. Cochran moved to lay the substitute on the table. Carried. Yeas 60—nays 32.

Yeas—Messrs. President, Bailey, Baker of Russell, Barclay, Barnes, Beck, Blue, Bolling, Bragg, Buford, Clarke of Marengo, Clarke of Lawrence, Cochran, Crawford, Creech, Crumpler, Curtis, Daniel, Dargan, Davis of Covington, Davis of Pickens, Dowdell, Earnest, Foster, Gibbons, Gilchrist, Hawkins, Henderson of Macon, Henderson of Pike, Herndon, Howard, Humphries, Jemison, Jewett, Jones of Lauderdale, Johnson, Leonard, Love, McClanahan, McPherson, McKinnie, Mitchell, Morgan, Owens, Phillips, Posey, Ralls, Rives, Ryan, Shortridge, Slaughter, Smith of Henry, Starke, Stone, Taylor, Watts, Webb, Whatley, Yelverton.

Nays—Messrs. Beard, Brasher, Bulger, Catterlin, Coffey, Coman, Crook, Davis of Madison, Edwards, Ford, Forrester, Franklin, Gay, Green, Hood, Inzer, Jones of Fayette, Kimball, Potter, Russell, Sanford, Sheets, Sheffield, Smith of Tuscaloosa, Steadham, Steele, Timberlake, Watkins, Whitlock, Wilson, Winston, Wood.

Mr. Bulger moved to amend by inserting the word "white," before the word "population."

Mr. Cochran moved to refer the whole subject to a select committee of three. Carried.

Mr. Watts offered an ordinance providing that the congressional districts from time to time, shall be laid off on the Federal basis. Referred to the same committee.

Mr. President laid before the convention letters from Messrs. Fearn and Lewis, resigning their position as deputies from Alabama in the Congress. Resignations were accepted.

Mr. Dargan introduced the following:

Resolved, That in accepting the resignation of Mr. Thomas Fearn and Mr. David P. Lewis, two of our deputies of the Congress of the Confederate States, this convention would express its entire and full approval of the course they have pursued in said Congress, so far as it has been made public, and tender them our thanks for the good results, owing in part to their labors. Adopted.

Mr. President announced as the select committee to consider the matter of laying off the State into Congressienal districts, Messrs. Cochran, Jemison and Dargan.

Mr. Inzer asked and obtained leave to record his vote on the question taken yesterday during his absence, first, upon the call of the previous question and votes nay, and second upon the ratification of the Constitution and votes, yea.

Mr. Morgan moved that the Committee on the revision of the Constitution be placed among the standing committees. Carried.

Mr. Webb with leave, from the Committee on the revision of the Constitution, reported an ordinance to amend the Constitution as to banks. It provides that suspension of specie payment by a bank shall not be legalized by the Legislature, except by a two-third vote of each house.

Mr. Webb moved to amend by inserting after the words "General Assembly," "only in time of war."

Mr. Johnson moved to amend as follows: strike out of the first section all after the words "General Assembly," and insert "no bank or branch bank shall be established, or bank charter renewed, but in conformity with the following rule."

Mr. Watley moved to lay the whole subject on the table. Lost.

On motion, the ordinance and proposed amendments were referred to the Committee on revision of the Constitution.

Mr. Cochran offered an ordinance for the benefit of the second regiment of Alabama volunteers.

Mr. Morgan moved to refer to the Committee on Military affairs.

Mr. Dowdell moved to refer to the Committee on the Constitution. Carried.

Mr. Humphries moved to suspend special orders to enable him to offer an ordinance.

Mr. Morgan moved to amend so as to suspend special orders for the day; carried, and special order was suspended for the day.

Mr. Humphries reported an ordinance to amend the military ordinance adopted in January. Postponed till to-morrow.

Mr. Bulger asked to be excused from serving on the military committee. Excused.

Mr. Whatley offered the following resolution:

Resolved, That this convention will adjourn *sine die* on Monday the 18th inst, at 12 o'clock meridian.

Mr. Morgan offered to amend by inserting in place of "meridian," "Friday next thereafter." Lost.

Mr. Dowdell to amend by inserting "Wednesday."

Mr. Humphries to lay the amendment on the table. Withdrawn.

Mr. Cochran to postpone the consideration of the whole subject until the committee on re-districting the State should report. Carried.

CALL OF THE COUNTIES.

Mr. Morgan introduced an ordinance to authorize the Governor to enlist an additional 200 men, and for other purposes. Referred.

Mr. President announced that Mr. Watts is appointed on the Military Committee in place of Mr. Bulger, resigned.

Mr. Morgan presented an account. Referred.

Mr. Morgan offered the following resolution.

Resolved, That when the Committee on the revision of the Constitution find it necessary to incorporate any ordinance of this Convention into the body of the Constitution, they may leave out the caption of the ordinance.

Mr. Cochran moved to suspend the call of the counties to enable him as Chairman of select committee of three on re-districting the State, to make a report. Carried.

Mr. Cochran as Chairman as aaforesaid, reported an ordinance on the subject and begged leave to sit again.

The committee by leave, withdrew the report and were instructed by the convention to report it again to-morrow at half past ten, and make it the special order for that hour.

Mr. Blue offered the following resolution:

Resolved, That when this convention adjourns at 2 o'clock each day, it adjourn to meet at 4 o'clock of the same day, and that the regular hour of adjournment be 7 o'clock P. M. until otherwise ordered. The resolution lies over under the rule until to-morrow.

Mr. Humphries introduced a bill for the benefit of the Mobile and Girard Railroad Company. Referred.

Mr. Baker of Russell, offered an ordinance providing that the ordinances &c., of a merely legislative character, may be amended or modified by the Legislature. Referred.

Mr. McClanahan offered a resolution providing for a select committee of three to investigate and report upon the boundaries of this State. Adopted, and Messrs. McClanahan, Posey and Dargan were appointed.

Mr. Dargan introduced an ordinance in relation to the construction of the changes in the Constitution by this Convention. Adopted.

The Committee on Public Expenditures, to whom was referred the following resolution, beg leave to report back the same to the convention, and recommend its adoption:

Resolved, That Frank L. Smith, Assistant Secretary of this convention, be allowed four dollars per diem during the recess of this convention, for services rendered under instructions from said body.

Dr. Dowdell, Chairman of the Committee on Public Expenditures, made the following report:

"The Committee on Public Expenditures, to whom was referred the following resolution, beg leave to report back the same to the convention, and recommend its adoption:

"Resolved, That the President of this convention draw his warrant on the Treasurer of the State for the sum of one hundred dollars, in favor of R. H. Wynne, former door-keeper of this convention, for extra services during the recess of said convention."

Mr. Clark, from the Committee on Enrollment, made the following report:

"The Committee on Enrollment, to whom were referred 'An ordinance to confer upon the Government of the Confederate States of America jurisdiction over the Custom House and Marine Hospital at Mobile, and certain lighthouses, lights and buoys in Mobile Bay, and for other purposes,' and 'An ordinance to transfer to the Confederate States of America the money in the hands of the collector of the port of Mobile,' have had the same under consideration, and have instructed me to report that the same are correctly enrolled."

Mr. Morgan, from the Committee on the Revision of the Constitution, reported an ordinance in relation to county boundaries. He also offered an amendment, a provision of which provides for changing the limitation of the size of the counties from nine hundred to six hundred miles.

Mr. Morgan moved to amend the ordinance as reported, as follows:

"Amend by striking out 'nine' where it occurs, and insert 'six.'

"No line of a new county shall be established within twelve miles of an existing county site, or place elected as such.

"No new county shall be established unless the law providing for the same is ratified by a vote of two-thirds of the qualified electors within the territory reported to be included in such new county.

"No court-house or county site, or place elected as such in any county, shall be changed to another place, except by a vote of two-thirds of the qualified electors of the county.

"No new county shall be formed unless the population thereof shall equal the one hundredth part of the population of the State, and be entitled to a separate representative in the House of Representatives of the General Assembly; and in no case shall the number of such representatives exceed one hundred."

Mr. Dowdell moved to amend by adding the following clause:

"And that each county in the State shall be entitled to choose one Senator, and no more; and shall also be entitled to at least one Representative."

Mr. Webb moved to lay the ordinance and amendment on the table, and that they be printed.

The hour of 2 o'clock P. M. having arrived, the President announced the convention adjourned.

FRIDAY, March 15, 1861.

The convention met pursuant to adjournment.

Prayer by the Rev. E. Hearn, of the M. E. Church, South.

Mr. Clarke of Lawrence asked and obtained leave of absence for his colleague, Mr. Lewis.

Mr. Slaughter asked and obtained leave of absence for Mr. Inzer.

Mr. Blue called up his resolution providing for afternoon sessions of the convention. Adopted.

"Resolved, That when this convention adjourn at 2 o'clock of each day, it adjourn to meet at 4 o'clock of the same day, and that the regular hour of adjournment be 7 o'clock P. M., until otherwise ordered."

Mr. Clarke of Marengo introduced a resolution instructing the Judiciary Committee to report, if they deem it expedient, an ordinance to authorize the Courts of County Commissioners throughout the State to levy a tax upon slaves, the property of persons who are non-residents of any of the Confederate States, for the purpose of organizing and keeping up an efficient police. Adopted.

Mr. Cochran, from the Committee on the Constitution, reported back, with an amendment, an ordinance for the benefit of the Second Regiment of Alabama Volunteers. The amendment strikes out the second section, which charters the regiment. Amendment laid on the table.

Mr. Cochran moved an amendment empowering the Legislature to amend or repeal this ordinance.

Mr. Buford moved to amend by inserting between the words "section" and "of" the words "or any part thereof."

Mr. Cochran accepted the amendment.

Mr. Bulger moved the following as a substitute:

"Provided, That the foregoing ordinance may at any time be altered, amended, or repealed, by ~~the Legislature~~ of the State."

Mr. Cochran accepted.

The question was now upon incorporoting the substitute into the ordinance, and it was carried.

The question was now apon the adoption of the ordinance, and a division was called for.

The question was then on the adoption of the first section, and it was adopted.

The question was then upon the second section, and the yeas and nays were called for, resulting as follows: Yeas 28—nays 59; and it was rejected.

Yeas—Messrs. Barnes, Beck, Blue, Buford, Clarke of Marengo, Clarke of Lawrence, Cochran, Davis of Pickens, Dowdell, Earnest, Foster, Henderson of Macon, Henderson of Pike, Howard, Jemison, Jewett, Leonard, McClanahan, McKinney, Mitchell, Owens, Rives, Ryan, Smith of Henry, Stone, Watkins, Watts, Yelverton—28.

Nays—Messrs. President, Allen, Bailey, Barclay, Beard, Bolling, Bragg, Brasher, Bulger, Catterlin, Coffey, Coman, Crawford, Creech, Crook, Crumpler, Curtis, Dargan, ~~Davis of Covington~~, Davis of Madison, Edwards, Ford, Forrester, Franklin, Gay, Gibbons, Gilchrist, Hawkins, Herndon, Hood, Jones of Lauderdale, Johnson, Kimball, Love, McClellan, McPherson, Morgan, Phillips, Posey, Potter, Ralls, Russell, Sanford, Sheets, Sheffield, Shortridge, Slaughter, Smith of Tuscaloosa, Starke, Steadham, Steele, Taylor, Timberlake, Webb, Whatley, Whitlock, Williamson, Winston and Wood—59.

The question was now upon the third section, and it was adopted.

The question was then upon the adoption of the fourth section, and it was disagreed to and rejected.

The question was then upon the proviso offered by Mr. Cochran by way of amendment, and it was adopted.

Upon motion of Mr. Cochran, the caption of the ordinance was amended by adding thereto the words, "and for other purposes;" and then the ordinance, as amended, was adopted.

CALL OF COMMITTEES.

Mr. Potter, from the Military Committee, reported an ordinance looking to the establishment of an armory in this State.

They reported it inexpedient to establish for the State, but in favor of obtaining information to lay before the Congress of the Confederate States. Lost.

Mr. Watts, from the Judiciary Committee, made the following report:

"The Committee on the Judiciary and Internal Affairs, to whom was referred an ordinance to repeal the act of the General Assembly of the State, entitled 'An act to regulate judicial proceedings, and for other purposes,' approved February, 1861, have had the same under consideration, and have instructed me to report that it would be inexpedient to adopt said ordinance.

"To the Legislative Department of the Government of Alabama, by the Constitution of the State, properly belong all mere matters of legislation, and this convention, called for the purpose of making such changes in our fundamental law touching the relations of the State with others and with foreign powers, ought not to exercise functions which can be as appropriately and as efficiently performed by the General Assembly, unless extraordinary circumstances demand it.

"The enactment sought to be repealed was deliberately passed by the General Assembly, after this convention commenced its session; and whilst the committee are unanimously opposed to the provisions of said act, they think it unwise now to disturb its operation by the action of this convention."

The report was concurred in.

Mr. Earnest, from the Committee of Enrollment, reported the following:

"The Committee on Enrollment, to whom were referred the ordinances entitled,

"An ordinance in relation to the Second Volunteer Regiment of Alabama, and for other purposes;

"An ordinance in reference to the construction of all changes made in the Constitution of the State;

"To confer jurisdiction over the forts and arsenals in the State of Alabama;

"To provide for the sale of the provisions belonging to this State;

"To adopt the Constitution of the Confederate States;

"To regulate the staff of the Major-General appointed under the ordinance of 19th January, 1861;

"Have had the same under consideration, and report them to be correctly enrolled."

Mr. Watts, from the Committee on Judiciary and Internal Affairs, reported the following:

"The Committee on the Judiciary and Internal Affairs, to whom was referred an ordinance to prevent suits in the courts of Alabama on certain contingencies, have had the same under consideration, and have instructed me to report the ordinance herewith enclosed as a substitute, and recommend its adoption."

The ordinance reported by the committee as a substitute is an ordinance entitled "an ordinance to prevent suits in the courts of Alabama in certain contingences."

The question upon concurring in the report and upon the adoption ot the substitute, and it was concurred in, and the substitute adopted.

The question was now upon the adoption of the ordinance, as amended by the substitute of the committee.

Mr. Dargan moved to amend as follows:

Strike out all after the word "or" in the 4th line, to the word "the," in the 11th line, where it first occurs in said line.

Mr. Baker, of Russell, moved to lay the whole subject on the table; and the yeas and nays were called, resulting as follows: Yeas 52—nays 15, and the whole subject was laid on the table.

Yeas—Messrs. President, Allen, Baily, Baker of Russell, Barclay, Barnes, Beard, Beck, Blue, Bragg, Bulger, Clarke of Lawrence, Coffey, Crawford, Crook, Curtis, Dargan, Davis of Covington, Davis of Madison, Ford, Forrester, Franklin, Gay, Gilchrist, Green, Hawkins, Hood, Jemison, Jones of Lauderdale, Love, McClanahan, McClellan, McPherson, Morgan, Phillips, Posey, Potter, Ralls, Russell, Sanford, Sheets, Slaughter, Smith of Tuscaloosa, Starke, Steadham, Steele, Taylor, Timberlake, Watkins, Williamson, Winston, Wood—52.

Nays—Messrs. Buford, Catterlin, Clarke of Marengo, Cochran, Davis of Pickens, Foster, Gibbons, Howard, Jewett, Johnson, Rives, Ryan, Shortridge, Stone, Watts, Webb, Whatley—15.

Mr. Morgan, from the Judiciary Committee, to whom was referred an enquiry into the amendment necessary to make chapter 1, title 2 of part 2 of the Code of Alabama conform to the existing State of affairs in Alabama, stated that the committee had instructed him to report the accompanying ordinance, "to amend certain parts of chapter 1 of title 2 of part 2 of the Code of Alabama to place the holders of stock of the Confederate States of America and of the State of Alabama, on an equal footing with the United States stock," and recommended its adoption.

The question was upon the adoption of the ordinance, and a division of the question was called for.

The question was then upon the adoption of the first section, and it was adopted.

The question was then upon the adoption of the second section.

Mr. Morgan moved to amend by adding between the words, "the" and "value," in the eighth line on second page, the words "market, but not to exceed double the amount of the par value," and by striking out in the ninth line the words "upon their face." Adopted.

Mr, Morgan moved further to amend by changing the verbiage after the word "an," in the fifteenth line, so that the balance of the sentence shall read as follows: "amount of the stock of the Confederate States, or of the State of Alabama, equal in value to the amount of stocks of the United States of America so withdrawn."—Adopted.

Mr. Webb moved to amend by striking out the word "double" wherever it occurs in the section.

The question being upon the adoption of the amendment the yeas and nays were called, resulting as follows: yeas 49—nays 33. Adopted.

Yeas—Messrs. Baker of Russell, Barclay, Beard, Bragg, Brasher, Bulger, Catterlin, Coffey, Coman, Crawford, Creech, Curtis, Dargan, Davis of Madison, Edwards, Ford, Forrester, Foster, Franklin, Gay, Gibbons, Gilchrist, Green, Hawkins, Henderson of Pike, Hood, Jemison, Jones of Lauderdale, Kimball, Leonard, McClellan, Posey, Potter, Sanford, Sheets, Sheffield, Slaughter, Smith of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Watkins, Webb, Whatley, Whitlock, Williamson, Winston, Yelverton—49.

Nays—Messrs. President, Allen, Baily, Barnes, Blue, Bolling, Buford, Clarke of Marengo, Cochran, Crook, Davis of Covington, Davis of Pickens, Dowdell, Henderson of Macon, Johnson, Love, McClanahan, McPherson, Mitchell, Morgan, Owens, Phillips, Ralls, Rives, Russell, Ryan, Shortridge, Smith of Henry, Starke, Stone, Watts, Wood—33.

Mr. Watts moved to amend by inserting the words "one and a half" in place of the word "double" just now stricken out.

The question was upon the adoption of the amendment, and the yeas and nays were called resulting as follows: yeas 38—nays 44. Lost.

Yeas—Messrs. President, Allen, Barnes, Blue, Bolling, Buford, Clarke of Marengo, Cochran, Crook, Davis of Covington, Davis of Pickens, Dowdell. Earnest, Ford, Foster, Henderson of Macon, Henderson of Pike, Howard, Jewett, Johnson, Love, McClanahan, McPherson, Mitchell, Morgan, Phillips, Ralls, Rives, Russell, Ryan, Shortridge, Smith of Henry, Starke, Stone, Watts, Winston, Wood, Yelverton—38.

Nays—Messrs. Baker of Russell, Barclay, Beard, Beck, Bragg, Bulger, Catterlin, Coffey, Coman, Crawford, Creech, Crumpler, Curtis, Dargan, Davis of Madison, Edwards, Forrester, Franklin, Gibbons, Gilchrist, Green, Hawkins, Hood, Jemison, Jones of Lauderdale, Kimball, Leonard, McClellan, Posey, Potter, Sanford, Sheets, Sheffield, Slaughter, Smith of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Watkins, Webb, Whatley, Whitlock, Williamson—44.

Mr. Bulger moved to suspend the rule to adjourn at 7 to enable the Convention to proceed with the business before it. Lost.

Mr. Morgan moved to amend by striking out all after the word "and," in the 9th line on the 2d page, where it occurs at the beginning of the sentence.

The hour of 7 having arrived the President announced the Convention adjourned.

SATURDAY, March 16, 1861.

The Convention met pursuant to adjournment.

Prayer by Rev. Mr. McDonald.

The Journal was read and approved.

Mr. Dargan moved to suspend the rules, to enable him to introduce an ordinance explanatory of the ordinance passed by this convention. The motion was carried and the ordinance referred to the Committee on the Constitution.

Mr. Whatley moved further to suspend the rules, to enable the special committee on re-districting the State to make a report. Carried.

Mr. Cochran, from said committee, reported that they had had the matter under consideration and recommended the passage of the following ordinance:

"To provide for the election of additional members to Congress from the State of Alabama."

Mr. Earnest moved to lay the ordinance and report on the table, and the yeas and nays being demanded, the result stood yeas 45—nays 39. The ordinance and report was laid on the table.

Yeas—Messrs. President, Bailey, Barnes, Beck, Blue, Bolling, Bragg, Buford, Clarke of Marengo, Crawford, Creech, Crook, Davis of Covington, Davis of Madison, Davis of Pickens, Dowdell, Earnest, Foster, Gilchrist, Henderson of Macon, Henderson of Pike, Jewett, Johnson, Love, McClanahan, McClellan, McPherson, Mitchell, Morgan, Phillips, Ralls, Rives, Ryan, Sheffield, Shortridge, Silver, Slaughter, Starke, Stone, Watts, Webb, Whatley, Williamson, Wood, Yelverton—45.

Nays—Messrs. Allen, Baker of Russell, Barclay, Brasher, Bulger, Catterlin, Clarke of Lawrence, Cochran, Coffey, Coman, Curtis, Dargan, Edwards, Ford, Franklin, Gay, Gibbons, Green, Hawkins, Herndon, Hood, Howard, Jones of Lauderdale, Leonard, McKinnie, Owens, Posey, Potter, Russell, Sanford, Sheets, Smith of Henry, Smith of Tuscaloosa, Steadham, Steele, Taylor, Timberlake, Watkins, Whitlock, Winston—39.

Mr. Crook moved to suspend the order to enable him to introduce the following resolution:

Resolved, That in view of the absence of the census of the counties in this State, a special committee of nine be appointed, and instructed to re-district the State, laying off nine congressional distxicts, as compactly as possible.

Mr. Jones of Lauderdale moved to add to the resolution, "upon the basis of the representation in the Legislature."

Mr. Cochran moved to lay on the table. Carried.

The question was then upon adoption of resolution. Adopted.

Mr. Ralls introduced the following resolution:

Resolved, That this convention will adjourn *sine die* on Tuesday next at 12 M.

Mr. Morgan offered the following as a substitute:

Resolved, That on Wednesday next. at 12 o'clock M., this convention will stand adjourned *sine die.*

Leave of absence was granted to Mr. Crumpler.

Mr. Gilchrist moved to reconsider the vote taken yesterday on Mr. Webb's amendment, to strike out the word "double," and also the vote on Mr. Watts's amendment to insert "one and a half," in the ordinance to amend certain parts of chapter one of title two of part twc of the Code of Alabama.

Mr. Baker of Russell moved to refer to Judiciary Committee. Lost.

The question was upon striking out the word "double," and the yeas and nays were called. Yeas 39—nays 44.

Yeas—Allen, Baker of Russell, Barclay, Beck, Bragg, Brasher, Catterlin, Clarke of Lawrence, Coffey, Coman, Crawford, Creech, Curtis, Davis of Madison, Edwards, Ford, Foster, Franklin, Gay, Gibbons, Green, Hawkins, Hood, Jones of Lauderdale, Kimball, McClellan, Posey, Potter, Sanford, Sheets, Sheffield, Smith of Tuscaloosa, Steadham, Steele, Timberlake, Watkins, Webb, and Winston.

Nays—Messrs. President, Baily, Buford, Barnes, Blue, Bolling, Bulger, Clarke of Marengo, Cochran, Crook, Davis of Covington, Davis of Pickens, Dowdell, Earnest, Gilchrist, Henderson of Macon, Henderson of Pike, Howard, Jewett, Johnson, Leonard, Love, McClanahan, McPherson, McKinnie, Mitchell, Morgan, Owens, Phillips, Ralls, Rives, Russell, Ryan, Shortridge, Slaughter, Smith of

Henry, Starke, Stone, Taylor, Watts, Whatley, Whitlock, Wood and Yelverton.

Mr. Morgan withdrew his amendment which was pending when the convention adjourned yesterday.

Mr. Morgan moved to amend, by adding to section 2: "but no person not a citizen of this State, and no foreign corporation, shall hereafter engage in the business of banking in the State, nor shall in any way be a stockholder in a bank under the provisions of this law; but nothing herein contained shall affect the rights of any yerson or association now engaged in the business of banking under the provisions of the law as heretofore existing."

The amendment was adopted.

The question was upon the adoption of the section, and the yeas and nays were called. Yeas 44—nays 37.

Yeas—Messrs. Allen, Bailey, Barnes, Blue, Bolling, Buford, Clarke or Marengo, Cochran, Crook, Davis of Covington, Davis of Picken, Dowdell, Earnest, Foster, Gilchrist, Henderson of Macon, Henderson of Pike, Howard, Jewett, Johnson, Leonard, Love, McClanahan, McKinnie, Mitchell, Morgan, Owens, Phillips, Ralls, Rives, Russell, Ryan, Shortridge, Slaughter, Smith of Henry, Starke, Stone, Taylor, Watts, Whatley, Whitlock, Wood and Yelverton.

Nays—Messrs. Baker of Russell, Barclay, Beard, Beck, Bragg, Brasher, Bulger, Catterlin, Clarke of Lawrence, Coffey, Coman, Crawford, Creech, Curtis, Dargan, Davis of Madison, Edwards, Ford, Forrester, Franklin, Gibbons, Green, Hawkins, Hood, Jemison, Jones of Lauderdale, McClellan, Posey, Potter, Sanford. Sheets, Sheffield, Smith of Tuscaloosa, Steadham, Steele, Watkins, and Webb.

Mr. Jemison offered an amendment as an additional section, as follows:

"Sec. 4. And be it further ordained, That the next or any subsequent Legislature may require any free bank now or hereafter organized under this law to retire its circulation, so as to reduce the amount of the same to an amount not to exceed the market value of the bonds deposted with the Comptroller; and the amount so retired shall be returned to and cancelled by the Comptroller."

Amendment adopted.

The question was upon the adoption of section 3. Adopted.

Mr. Morgan moved to amend section 4 by striking out the entire section. Carried.

The question was upon adoption of section 5. Upon motion, the entire section was stricken out.

The question recurring now upon the adoption of the ordinance as amended,

Mr. Watkins offered a substitute for the whole ordinance.

The question was upon the adoption of the substitute, and the yeas and nays were called. Yeas 26—nays 54.

Yeas—Messrs. Beard, Bragg, Brasher, Bulger, Clarke of Lawrence, Coffey, Coman, Edwards, Ford, Forrester, Franklin, Gay, Green, Hood, Jones of Lauderdale, Johnson, Kimball, McClellan, Posey, Sanford, Sheets, Sheffield, Steadham, Steele, Watkins and Winston.

Nays—Messrs. President, Bailey, Buford, Baker of Russell, Barclay, Barnes, Beck, Blue, Bolling, Clarke of Marengo, Cochran, Crawford, Creech, Crook, Curtis, Davis of Covington, Davis of Pickens, Dowdell, Earnest, Foster, Gibbons, Gilchrist, Henderson of Macon, Henderson of Pike, Howard, Jemison, Jewett, Leonard, Love, McClanahan, Mitchell, McPherson, McKinnie, Morgan, Owens, Phillips, Potter, Ralls, Rives, Russell, Ryan, Shortridge, Slaughter, Smith of Henry, Smith of Tuscaloosa, Starke, Taylor, Watts, Webb, Whatley, Whitlock, Williamson, Wood, Yelverton.

The amendment was lost.

The question was now upon concurring in the report of the committee and adopting the ordinance as amended, and it was adopted.

Mr. Jemison moved a reconsideration of the vote just taken. Lost.

Mr. Morgan offered the following resolution:

Resolved, That this convention will proceed this day at 12 o'clock M. to elect two Deputies to the Congress of the Provisional government of the Confederate States of America, to fill the vacancies occasioned by the resignation of David P. Lewis, and Thomas Fearn. Adopted.

Mr. Davis of Madison introduced an ordinance and moved its reference to Committee on Federal Relations without reading. Carried.

Mr. Mitchell presented an account, and asked its reference to the Committee on Public Expenditures, and it was so referred.

Mr. Watkins presented a petition. Referred to the Committee on the Constitution.

Mr. Cochran from the Committee on the Constitution made the following report:

"The Committee on the Constitution to whom was referred a resolution to enquire into the propriety of so amending the Constitution as to make the veto of the Governor more effective, have considered the same, and instruct me to report that it is inexpedient to make the change suggested."

M. Morgan made a minority report, which he did—no one objecting—verbally, and offered a substitute.

Mr. Phillips moved to lay the report and substitute on the table. The yeas and nays were called, resulting as follows: yeas 40—nays 35. Laid on the table.

Yeas—Messrs. President, Allen, Baker of Russell, Barnes, Blue, Bolling, Clark of Marengo, Clarke of Lawrence, Coffey, Coman, Crawford, Creech, Curtis, Davis of Pickens, Earnest, Ford, Foster, Franklin, Hood, Howard, Jones of Lauderdale, Johnson, McClanahan, McClellan, McKinnie, Mitchell, Owens, Phillips, Potter, Russell, Sanford, Sheets, Slaughter, Smith of Henry, Smith of Tuscaloosa, Steele, Timberlake, Watkins, Watts, Yelverton.

Nays—Messrs. Buford, Barclay, Beck, Bragg, Brasher, Bulger, Catterlin, Crook, Dowdell, Edwards, Forrester, Gay, Gibbons, Gilchrist, Green, Hawkins, Henderson of Pike, Jewett, Leonard, Love, McPherson, Morgan, Posey, Ralls, Rives, Ryan, Shortridge, Starke, Steadham, Stone, Taylor, Webb, Whatley, Williamson, Wood.

Mr. President informed the convention that he had received a message from a land officer, asking instructions as to paying over money in his hands to the United States government. Referred to the Committee on Public Lands.

ELECTION OF DEPUTIES TO FILL VACANCIES.

Mr. Posey put in nomination the Hon. Henry C. Jones for the 5th district.

The 1st ballot resulted as follows:

H. C. Jones,	67.
Sheets,	1
W. Garth,	4
Posey,	1
Pryor,	1

Mr. Jones having received a majority of the whole votes cast, was declared duly elected to the Congress of the Confederate States from the 5th District.

Mr. Ralls nominated Nicholas Davis for the 6th district.

Mr. Forrester nominated W. H. Edwards.

Mr. Timberlake, nominated W. A. Austin, of Jackson.

Mr. Shortridge nominated A. C. Beard.

The following is the result of the 1st ballot.

Davis,	51
Edwards,	10
Austin,	7
Beard,	11
Winston,	1
Blank,	1
Humphries,	2

Mr. Davis having received a majority of the whole number of votes cast, was declared duly elected for the sixth Congressional district.

SPECIAL ORDERS.

Mr. Phillips moved to suspend special orders to enable the committies to make their reports. Carried.

Mr. Cochran, from the Committee on the Constitution, made the following report:

"The Committee on the Constitution, to which was referred the memorial from the members of the bar at Florence, asking the establishment of a term of the Supreme Court, to be held in Huntsville, together with an ordinance providing for the same, have considered the subject, and instruct me to report that it was inexpedient to legislate upon the same."

Mr. Jones of Lauderdale, from the same committee, made the following minority report:

"The undersigned, a minority of the Committee on the Constitution, to whom was referred a memorial and ordinance to change the fourth section of the fifth article of the Constitution of Alabama, so as to authorize the holding of a term of the Supreme Court at Huntsville, in North Alabama, begs leave to offer the following proviso (as a substitute for the report of the committee) as an amendment to the fourth section of the fifth article of the constitution, and recommend its passage (to come in at the close of the fourth section of the fifth article of the Constitution of Alabama):

"Provided, That the General Assembly may by law direct that a term of the Supreme Court may be held anually at Huntsville, in the county of Madison, to hear causes; but final judgments and decrees shall only be rendered at the seat of government."

The question was upon substituting the minority for the majority report; and the yeas and nays were called, resulting—yeas 28, nays 52.

The substitute was rejected.

Yeas—Messrs. Allen, Baker of Russell, Barclay, Beard, Bulger, Coffey, Coman, Earnest, Edwards, Ford, Forrester, Franklin, Hood, Jemison, Jones of Lauderdale, Johnson, Kimball, McClellan, Posey, Potter, Russell, Sheets, Sheffield, Shortridge, Slaughter, Steadham, Steele, Watkins—28.

Nays—Messrs. President, Bailey, Buford, Barnes, Beck, Blue, Bolling, Bragg, Brasher, Catterlin, Clark of Lawrence, Cochran, Crawford, Creech, Curtis, Dargan, Davis of Covington, Davis of Pickens, Dowdell, Foster, Gay, Gibbons, Gilchrist, Hawkins, Henderson of Macon, Henderson of Pike, Howard, Jewett, Leonard, Love, McClanahan, McPherson, McKinnie, Mitchell, Morgan, Owens, Phillips, Rives, Ryan, Sanford, Smith of Henry, Smith of Tuscaloosa, Starke, Stone, Taylor, Watts, Webb, Whatley, Whitlock, Williamson, Wood, Yelverton—52.

The question was next upon concurring in the report of the majority of the committee, and the report was concurred in.

Mr. President announced delegates to the Atlanta Convention, under a resolution of the convention under a resolution heretofore adopted, as follows:

Messrs. Jemison, Daniel Pratt, L. C. Allen, Buford, Shortridge, Dowdell, Benj. H. Micou.

Mr. Beck, from the Committee on the Constitution, made the following report:

"The Committee on the Constitution, to which was referred an ordinance to prohibit the Legislature from creating a debt, without in the same act providing the means for its liquidation, have had the same under consideration, and have instructed me to report that it is inexpedient to pass said ordinance."

Mr. Cochran moved to substitute the report for the ordinance which is the subject of the report, entitled "An ordinance to restrict the Legislature in reference to the creation of debts," and a recommendation that it be adopted.

The question was upon the adoption of the substitute for the report of the committee.

The hour of 2 P. M. having arrived, the President declared the convention adjourned until 4 o'clock, under the rules.

EVENING SESSION.

Mr. Ralls asked and obtained leave of absence for Mr. Rives.

Consideration of the ordinance to restrict the Legislature in reference to the creation of debts resumed.

The question was upon the adoption of Mr. Cochran's substitute.

Mr. Potter moved to lay the substitute on the table, and the yeas and nays were called for. Yeas 34—nays 44.

Yeas—Messrs. President, Bailey, Baker of Russell, Barnes, Beard, Beck, Bolling, Buford, Clarke of Marengo, Clarke of Lawrence, Crawford, Curtis, Dargan, Davis of Pickens, Earnest, Ford, Foster, Franklin, Gibbons, Green, Henderson of Macon, Henderson of Pike, Johnson, Kimball, Mitchell, Owens, Potter, Slaughter, Smith of Henry, Watkins, Watts, Webb, Whatley, Winston—34.

Nays—Messrs. Barclay, Blue, Bragg, Brasher, Bulger, Catterlin, Coffey, Coman, Creech, Crook, Davis of Covington, Davis of Madison, Dowdell, Edwards, Forrester, Gay, Hood, Howard, Jewett, Jones of Lauderdale; Leonard, Love, McClanahan, McClellan, McKinnie, Morgan, Posey, Ralls, Russell, Ryan, Sanford, Sheets, Sheffield, Shortridge, Smith of Tuscaloosa, Starke, Steadham, Steele, Taylor, Timberlake, Whitlock, Wood, Yelverton—44.

The question was now on the adoption of the ordinance as amended.

Mr. Earnest moved to amend by adding the following:

"Provided, That this ordinance shall not take effect until ratified by a majority of the votes of the people at the August election, 1861.

Mr. Morgan moved to lay the amendment on the table, and the yeas and nays were called, resulting—yeas 46, nays 33. Laid on the table.

Yeas—Messrs. President, Barclay, Beck, Blue, Bragg. Cochran, Coman, Crawford, Creech, Curtis, Dargan, Davis of Covington, Davis of Madison, Davis of Pickens, Dowdell, Forrester, Foster, Gibbons, Green, Hood, Howard, Jewett, Jones of Lauderdale, Leonard, Love, McClanahan, McClellan, McKinnie, Mitchell, Morgan, Posey, Russell, Ryan, Shortridge, Smith of Henry, Smith of Tuscaloosa, Starke, Steadham, Steele, Taylor, Watkins, Webb, Whitlock, Wood, Yelverton—46.

Nays—Messrs. Bailey, Buford, Baker of Russell, Barnes, Beard, Bolling, Brasher, Bulger, Catterlin, Clarke of Marengo, Clarke of Lawrence, Coffey, Crook, Earnest, Edwards, Ford, Franklin, Henderson of Macon, Henderson of Pike, Jemison, Johnson, Kimball, Owens, Potter, Ralls, Sanford, Sheets, Sheffield, Slaughter, Timberlake, Watts, Whatley, Winston—33.

Mr. Webb moved to lay the whole subject on the table.

The convention refused to lay the whole subject on the table.

Mr. Jemison moved to amend by inserting "unless there shall be two-thirds of both branches of the Legislature in favor of the creation of such debts."

Mr. Cochran moved to lay the amendment on the table. Carried.

A motion was made to suspend the rule to adjourn at 7 o'cock p. m. Lost.

Mr. Johnson moved to amend by adding: Provided the payment of any debt contracted by the Legislature shall not result in taxation. Ruled not in order.

Mr. Watts meved to postpone the further consideration until 10½ o'clock Monday morning.

Mr. Dowdell moved to adjourn. Carried; and the convention adjourned at five minutes before 7 p. m.

Monday, March 18, 1861.

The Convention met pursuant to adjournment.

Prayer by Rev. Mr. E. J. Harrell.

Mr. Earnest from the committee on enrollment made the following report:

"The committee on enrollment, to whom was referred an ordinance to amend certain parts of chapter one, title two, of part two, of the Code of Alabama, have examined the same, and instructed me to report the same correctly enrolled."

Mr. Cochran moved to suspend all orders and rules, to enable the convention to take up the subject of the report and substitute in relation to restricting the Legislature in regard to creating debts, &c. Carried.

Mr. Cochran then asked leave to withdraw his substitute, pending when the convention adjourned on Saturday evening. Granted.

Mr. Cochran then offered a substitute for the report of the committee.

The question was upon the adoption of the substitute for the original report.

Mr. Johnson moved to reconsider the vote taken on Saturday upon the resolution to adjourn *sine die* on Wednesday 12 M. Lies over under the rules until to-morrow.

Mr. Johnson moved to reconsider the vote taken on Saturday, on Mr. Crook's resolution, to re-district the State.

Mr. Jemison moved to postpone action upon it until 4 o'clock, p. m. Postponed.

Mr. Bulger moved to postpone consideration of Mr.

Johnson motion to reconsider the vote on adjournment until 11 o'clock Wednesday. Lost.

Mr. Johnson moved to postpone consideration until to-morrow at 12. Lost.

The question was upon the motion to reconsider, as made by Mr. Johnson.

Mr. Morgan moved to suspend all business before the convention, and that the convention go into Committee of the Whole upon the constitution. Withdrawn.

The President decided that Mr. Johnson's motion to reconsider could not be acted on, unless the business before the convention be suspended.

Mr. Jemison moved a substitute for Mr. Cochran's substitute. Ruled out of order.

Mr. Jemison then changed his motion so as to strike out all after the enacting clause, and insert as follows:

The General Assembly shall create no debt or liability, nor appropriate money from the treasury, except by a vote of two-thirds of each House, taken by yeas and nays, unless it be estimated for by the Comptroller of Public Accounts, and asked for by the Governor; or for the purpose of paying its own expenses or contingencies; or for the payment of claims against the State.

Mr. Cochran moved to lay Mr. Jemison's motion on the table. Yeas and nays called. Yeas 41—nays 33. Laid on the table.

Yeas—Messrs. Baker of Russell, Barnes, Beck, Blue, Bragg, Bulger, Catterlin, Cochran, Coman, Creech, Crook, Crumpler, Curtis, Dargan, Davis of Madison, Dowdell, Forrester, Gay, Gibbons, Gilchrist, Hood, Howard, Jewett, Jones of Lauderdale, Leonard, Love, Morgan, Posey, Ryan, Sanford, Sheets, Smith of Henry, Starke, Steadham, Steele, Stone, Taylor, Timberlake, Watkins, Wood nd Yelverton.

Nays—Messrs. President, Allen, Bailey, Buford, Beard, Bolling, Brasher, Clarke of Marengo, Clarke of Lawrence, Crawford, Davisof Pickens, Earnest, Edwards, Foster, Green, Henderson of Macon, Herndon, Jemison, McClanahan, McKinnie, Owens, Potter, Ralls, Rives, Russell, Ryan, Sheffield, Shortridge, Slaughter, Smith of Tuscaloosa, Watts, Webb, Whatley and Winston.

Mr. Clarke of Marengo moved to lay the whole subject on the table. The yeas and nays were called, resulting as follows: yeas 30—nays 49.

Convention refused to lay the whole subject on the table.

Yeas—Messrs. Bailey, Buford, Baker of Russell, Beard, Beck, Bolling, Catterlin, Clarke of Marengo, Clarke of Lawrence, Crawford, Curtis, Davis of Pickens, Earnest, Foster, Henderson of Macon, Herndon, Jemison, Johnson, Owens, Potter, Ralls, Rives, Ryan, Sheffield, Slaughter, Timberlake, Watts, Webb, Whatley and Winston.

Nays—Messrs. President, Allen, Barclay, Barnes, Blue, Bragg, Brasher, Bulger, Cochran, Coffey, Coman, Creech, Crook, Crumpler, Dargan, Davis of Covington, Davis of Madison, Dowdell, Edwards, Forrester, Gay, Gibbons, Gilchrist, Green, Hood, Howard, Jewett, Jones of Lauderdale, Leonard, Love, McClanahan, McKinney, Morgan, Posey, Russell, Sanford, Sheets, Shortridge, Smith of Henry, Starke, Steadham, Steele, Stone, Taylor, Watkins, Whitlock, Williamson, Wood and Yelverton.

Mr. Jemison moved to amend by striking out the words "the members of," between the words "of" and "each," in the sixth line.

Mr. Dowdell moved to lay the amendment on the table. Yeas and nays were called. Yeas 52—nays 22. Laid on the table.

Yeas—Messrs. President, Buford, Baker of Russell, Barclay, Barnes, Blue, Bragg, Brasher, Bulger, Catterlin, Cochran, Coffey, Coman, Creech, Crook, Crumpler, Curtis, Davis of Covington, Davis of Madison, Dowdell, Edwards, Forrester, Gay, Gibbons, Gilchrist, Green, Hood, Howard, Jewett, Jones of Lauderdale, Leonard, McKinnie, Morgan, Mitchell, Posey, Ralls, Russell, Ryan, Sanford, Sheets, Shortridge, Smith of Henry, Starke, Steadham, Stone, Taylor, Watkins, Webb, Whitlock, Williamson, Wood and Yelverton.

Nays—Messrs. Allen, Bailey, Beard, Bolling, Clarke of Lawrence, Crawford, Dargan, Earnest, Foster, Henderson of Macon, Herndon, Jemison, Johnson, McClanahan, Owens, Potter, Rives, Slaughter, Smith of Tuscaloosa, Watts, Whatley, Winston.

Mr. Watts moved to amend by adding the following proviso:

Provided, That this ordinance shall not be operative as a part of the Constitution of the State, unless at the next general election a majority of those voting shall approve the same.

Mr. Webb moved to lay Mr. Watts's amendment on the table.

Mr. Whatley moved to postpone the consideration of the subject until to-morrow at 11 A. M. The yeas and nays were called for and resulted, yeas 17—nays 60. Motion lost.

Yeas—Messrs. Baker of Russell, Beard, Clarke of Lawrence, Crawford, Dargan, Davis of Pickens, Earnest, Jemison, Johnson, Mitchell, Rives, Ryan, Sheffield, Slaughter, Smith of Tuscaloosa, Whatley, Winston.

Nays — Messrs. President, Allen, Buford, Barclay, Barnes, Beck, Blue, Bolling, Bragg, Brasher, Bulger, Catterlin, Clarke of Marengo, Cochran, Coffey, Coman, Creech, Crook, Crumpler, Curtis, Davis of Madison, Dowdell, Edwards, Foster, Gay, Gibbons, Gilchrist, Green, Henderson of Macon, Herndon, Hood, Howard, Jewett, Jones of Lauderdale, Leonard, Love, McClanahan, McKinnie, Morgan, Owens, Posey, Potter, Ralls, Russell, Sanford, Sheets, Shortridge, Smith of Henry, Starke, Steadham, Stone, Taylor, Timberlake, Watkins, Watts, Webb, Whitlock, Williamson, Wood, Yelverton.

The question was now upon laying Mr Watts amendment on the table; yeas and nays were called for. Yeas 44—nays 34. Laid on the table.

Yeas — Messrs. President, Baily, Barclay, Barnes, Beck, Blue, Bragg, Bulger, Clarke of Marengo, Cochran, Coman, Creech, Crumpler, Curtis, Dargan, Davis of Covington, Davis of Madison, Dowdell, Forrester, Gay, Gibbons, Howard, Jewett, Jones of Lauderdale, Leonard, Love, McClanahan, Mitchell, McKinnie, Morgan, Posey, Russell, Sheets, Shortridge, Smith of Henry, Starke, Steadham, Stone, Taylor, Webb, Whitlock, Williamson, Wood, Yelverton.

Nays—Messrs. Baker of Russell, Beard, Bolling, Brasher, Buford, Catterlin, Clarke of Lawrence, Coffey, Crawford, Crook, Davis of Pickens, Earnest, Edwards, Foster, Green, Henderson of Macon, Herndon, Hood, Jemison, Johnson, Owens, Potter, Ralls, Rives, Sanford, Sheffield, Slaughter, Smith of Tuscaloosa, Timberlake, Watkins, Watts, Whatley, Winston.

The question was now upon adoption of the substitute in place of the report of the committee; yeas and nays called. Yeas 59—nays 20.

Yeas—Messrs. President, Allen, Baker of Russell, Barclay, Barnes, Beard, Blue, Bolling, Bragg, Brasher, Bulger, Catterlin, Cochran, Coffey, Coman, Creech, Crook, Crumpler, Dargan, Davis of Covington, Davis of Madison, Dowdell, Edwards, Forrester, Gay, Gibbons, Gilchrist, Green, Henderson of Macon, Hood, Howard, Jewett, Jones of Lauderdale, Johnson, Leonard, Love, McClanahan, Mitchell, McKinnie, Morgan, Posey, Ralls, Rives, Russell, Sanford, Sheets, Sheffield, Shortridge, Smith of Henry, Starke, Steadham, Stone, Taylor, Timberlake, Watkins, Whitlock, Williamson, Wood, Yelverton.

Nays—Messrs. Bailey, Buford, Beck, Clark of Marenge, Clarke of Lawrence, Crawford, Curtis, Davis of Pickens, Earnest, Foster, Herndon, Jemison, Owens, Potter, Slaughter, Smith of Tuscaloosa, Watts, Webb, Whatley, Winston.

The question was then upon the adoption of the ordinance as amended. Adopted.

MESSAGE FROM THE GOVERNOR.

A communication was received from the Governor, at the hands of his private Secretary, Watkins Phelan Esq., which, upon being read, contained a recommendation to the convention, to modify the act of the Legislature of the 29th January 1861, entitled an act to raise money for the military defence of the State of Alabama, so as to make the interest on the bonds proposed to be issued payable semi-annually instead of annually, and at any bank in the city of Mobile or elsewhere, as the Governor may direct.

Upon motion of Mr. Watts the rules were suspended to enable him, and he offered an ordinance entitled "an ordinance to provide for the payment of interest semi-annually on the bonds issued under the act of the Legislature of the 29th of January, 1861.

The question was now upon the adoption of the ordinance, and it was adopted.

Motion to go into committee of the whole house on the Constitution of Alabama, and that all preceding amendments and changes of the Constitution be referred to the committee, and to take the same up, section by section, until disposed of. Carried.

After some time spent in consideration of the matter referred to it, the committee rose and reported progress to the convention.

The committee reported favorably on all that part submitted by the Committee on the Revision of the Constitution preceding Article first, and it was adopted by the Convention as a part of the Constitution of the State.

Mr. Whatley moved now to reconsider the vote taken on Saturday on Mr. Crook's resolution to re-district the State.

Mr. Clarke of Marengo, moved to lay the motion on the table. The yeas and nays were called, resulting, yeas 57 —nays 16. So it was laid on the table.

Yeas—Messrs. President, Bailey, Buford, Baker of Russell, Barnes, Beck, Blue, Bolling, Bulger, Catterlin, Clarke or Marengo, Coffey, Coman, Crawford, Creech, Crook, Crumpler, Curtis, Dargan, Davis of Covington, Davis of Madison, Davis of Pickens, Dowdell, Forrester, Foster, Gay, Gibbons, Gilchrist, Green, Herndon, Hood, Howard, Jewett, Love, McClanahan, Mitchell, McKinnie, Morgan, Owens, Ralls, Russell, Ryan, Sanford, Shortridge, Smith of Henry, Smith of Tuscaloosa, Starke, Steadham, Stone, Timberlake, Watts, Webb, Whatley, Whitlock, Williamson, Wood.

Nays—-Messrs. Barclay, Brasher, Clarke of Lawrence, Earnest, Edwards, Jemison, Jones of Lauderdale, Johnson, Posey, Potter, Sheets, Sheffield, Slaughter, Steele, Watkins, and Winston.

Mr. Crook moved to suspend all rules and orders, to enable the committee appointed on yesterday to re-district the State to report, and that the same shall be the special order until it is disposed of. Carried.

Mr. Kimball then, from said committee, reported an ordinance entitled "an ordinance to lay off the State of Alabama, into nine Congressional Districts," and recommend its adoption.

The previous question was called for; and the question being, shall the main question be now put, the yeas and nays were called for, resulting: yeas 53—nays 20. Sustained.

Yeas—Messrs. President, Bailey, Buford, Barnes, Beck, Blue, Bolling, Brasher, Catterlin, Clarkeof Marengo, Coffey, Coman, Crawford, Creech, Crook, Curtis, Dargan, Davis of Madison, Davis of Pickens, Dowdell, Earnest, Forrester, Gibbons, Gilchrist, Green, Herndon, Hood, Howard, Jewett, Love, McClanahan, Mitchell, McKinnie, Morgan, Owens, Potter, Ralls, Rives, Russell, Ryan, Sanford, Shortridge, Smith of Tuscaloosa, Starke, Steadham,, Stone Taylor, Timberlake, Webb, Whatley, Williamson, Winston, Wood.

Nays—Messrs. Baker of Russell, Barclay, Beard, Bulger, Clarke of Lawrence, Crumpler, Edwards, Foster, Gay, Jemison, Jones of Lauderdale, Leonard, Posey, Sheets, Sheffield, Slaughter, Steele, Watkins, Watts, Whitlock.

The question was now upon concurring in the report and adopting the ordinance; and it was adopted.

Mr. Webb moved to re-consider the vote just taken.

Mr. Clarke of Lawrence moved to postpone the consideration of Mr. Webb's motion until to-morrow at 10 o'clock A. M. By leave, withdrawn.

The question recurred upon the motion to re-consider, and it was lost.

Upon motion the convention, adjourned.

MONTGOMERY, ALA., March 19, 1861.

The convention met pursuant to adjournment.

Prayer by Rev. Dr. Petrie.

Mr. Baker of Russell moved to suspend the rules, to take action upon the motion made yesterday to reconsider the vote taken on Saturday in reference to adjournment. Carried.

The question was upon the motion to reconsider.

Mr. Morgan moved to postpone the further consideration until 4 P. M. Lost.

The question recurred upon the motion to reconsider.

Mr. Bulger moved to postpone until 11 A. M. to-morrow. Lost.

The question recurring again to reconsider, before it was put,

Mr. Shortridge moved to suspend until 6 P. M. this evening.

No action was had upon the motion.

The question recurring again upon the motion to reconsider, the yeas and nays were called. Yeas 30—nays 45.

So the convention refused to reconsider.

Yeas—Messrs. Bolling, Clarke of Marengo, Cochran, Davis of Covington, Dowdell, Earnest, Edwards, Foster, Henderson of Macon, Herndon, Jewett, Jones of Lauderdale, Johnson, McClanahan, Mitchell, McPherson, Morgan, Owens, Potter, Ralls, Russell, Sheffield, Shortridge, Slaughter, Smith of Henry, Timberlake, Watts, Williamson, Yelverton—30.

Nays—Messrs. Bailey, Baker of Barbour, Baker of Russell, Barclay, Barnes, Beard, Beck, Blue, Brasher, Buford, Bulger, Catterlin, Clarke of Lawrence, Coman, Crawford, Creech, Crook, Crumpler, Curtis, Dargan, Davis of Madison, Davis of Pickens, Gay, Gibbons, Gilchrist, Green, Howard, Love, McClellan, McKinnie, Posey, Rives, Ryan, Sanford, Sheets, Smith of Tuscaloosa, Starke, Steadham, Steele, Stone, Watkins, Webb, Whatley, Whitlock, Wood—45.

Mr. Dowdell moved to suspend the rules, to enable him to make a report and introduce an ordinance. Carried.

Mr. Dowdell offered an ordinance, entitled "An ordinance to make provision to pay a certain military company therein named."

Mr. Watts obtained leave and made the following report:

"The Committee on the Judiciary and Internal Affairs, to whom was referred an ordinance to amend and construe an ordinance to provide for the military defence of the State of Alabama, adopted January 19, 1861, have had the same under consideration, and instructed me to report the same back, and recommend its passage."

Mr. Watts offered to amend by adding:

"Be it ordained further, That the salary of the Quartermaster-General shall be one thousand dollars for one year from the time of his election, and at that rate until otherwise directed by the General Assembly.

Mr. Russell moved to lay the amendment on the table, and the yeas and nays were called. Yeas 49—nays 23.

The amendment was laid on the table.

Yeas—Messrs. Bailey, Baker, Barclay, Barnes, Buford, Beard, Beck, Brasher, Bulger, Catterlin, Clarke of Marengo, Clarke of Lawrence, Coffey, Coman, Crawford, Creech, Crook, Crumpler, Curtis, Davis of Covington, Gay, Gibbons, Gilchrist, Green, Herndon, Hood, Howard, Johnson, Jones of Lauderdale, Love, McClanahan, McClellan, McPherson, Posey, Potter, Russell, Ryan, Sanford, Sheets, Sheffield, Slaughter, Starke, Steadham, Steele, Taylor, Timberlake, Webb, Whitlock, Williamson—49.

Nays—Messrs. Blue, Cochran, Dargan, Davis of Madison, Davis of Pickens, Dowdell, Earnest, Foster, Henderson of Macon, Leonard, Mitchell, McKinnie, Morgan, Owens, Ralls, Rives, Shortridge, Smith of Henry, Smith of Tuscaloosa, Stone, Watts, Whatley, Yelverton—23.

The question was upon the adoption of the ordinance. Adopted.

Mr. Dowdell moved to suspend, to enable him to offer a resolution, which was done, and the resolution referred to the Committee on Finance.

Mr. Jewett offered the following resolution:

"Resolved, That the Governor of the State be requested to inform this convention—

"1. Whether the State of Alabama has received any patents from the United States for lands under the act of Congress of 28th September, 1850; and if so, how many acres.

"2. Whether any of the swamp and overflowed lands granted under said act of Congress have been selected and located by commissioners, on the part of the State, for which patents have not heretofore been issued by the United States.

"3. Whether the contract between the State of Alabama and said commissioners is of such nature that the same can be rescinded by the State, and said commissioners discharged."

Adopted.

Mr. Buford, by leave, laid before the convention a communication from the Hon. J. S. Williams, of Barbour.

Mr. Webb moved that the convention go into committee of the whole. Carried.

The committee of the whole, fifteen minutes before 2 P. M., rose and reported that they had made some progress, and asked leave to sit again.

Motion to suspend the rule to adjourn at 2 P. M. Carried.

Upon motion, the convention went into committee of the whole again, and after a few minutes spent therein, arose and reported progress to the convention.

Mr. Shortridge, from Committee on Federal Relations, made the following report:

"The Committee on Federal Relations, to whom was referred a resolution inquiring into the expediency of tendering to the Congress a district of ten miles square, for a permanent seat of government of the Confederate States of America, and also an ordinance in relation to the same subject, having had the same under consideration, have instructed me to submit the following ordinance, entitled "An ordinance to provide for the permanent seat of government of the Confederate States of America, within the limits of the State of Alabama."

The report and ordinance were informally passed over.

Mr. Dowdell, from the Committee on Public Expenditures, made the following report:

"The Committee on Public Expenditures, to whom was referred the account of A. J. Walker and S. F. Rice, for the hire of servants employed for the use of the convention, having examined the same, recommend its payment, and that the President be and he is hereby authorized to draw a warrant upon the treasury for the sum of thirty-four dollars for the payment of said account."

Report concurred in, and the warrant ordered to be issued.

The convention adjourned until 4 P. M.

EVENING SESSION.

Mr. Jewett, from the Committee on Public Lands, made a report as follows:

"The Committee on Public Lands, to whom was referred certain resolutions of this convention, directing them to inquire into the expediency of the State's making grants of the public lands in aid of railroads now in progress of construction, have instructed me to report, that the whole subject of the policy proper for the State to pursue in relation to its public domain, has been carefully considered by them, and that they regard the course heretofore pursued by the United States government, of making grants of alternate sections of land to railroads, within certain specified distances on either side of the route of said roads, as eminently wise and politic.

"Such donations have aided very materially in hastening such internal improuements to a speedy completion, and have likewise been greatly advantageous to those portions of the State through which such railroads have been built, by inviting an industrous and enterprising population to settle upon and improve their waste and unproductive lands; at the same time the advantages resulting to the government as the proprietor of the lands, have been invariably manifested even before the completion of the roads, by greatly increased sales of the public lands of all descriptions lying in the vicinity of their routes; and in very many instances by the sale of large portions of the reserved sections at enhanced prices, and bringing into the treasury just as much money as the entire body of lands would have commanded had no grants been made to the railroads.

"The committee, therefore, have considered the policy which seems to have guided the United States government on this subject, a proper and safe one for the State of Alabama to pursue.

"The grant of lands in alternate sections to railroads that may be projected in consequence of such promised aid, or advanced towards completion by the increased means thus placed at their disposition, your committee do not regard in any other light than as a safe and prudent measure, calculated to add to rather than detract from the value of the entire public domain, and particularly so when the State reserves for sale, at an increased price, the remaining sections.

"Your committee deem it the true policy of the State to dispose of the entire body of public lands at the earliest practicable period; not by diminishing the price of them, and thus holding out inducements to capitalists and speculators to make investments in them and buy up large bodies to be held from market, but by holding them at a fixed and reasonable price, so as to enable all persons of moderate means to become landholders, who may wish to settle upon and improve them.

"Your committee, therefore, recommend the passage of the accompanying ordinance, granting alternate sections of public land to certain railroad companies therein named."

The ordinances accompanying the report are—an ordinance entitled "An ordinance granting the right of way and making a grant of land to the Pensacola and Mobile Railroad and Manufacturing Company, in aid of the construction of a railroad connecting the waters of the Perdido river and Mobile Bay;" also, an ordinance entitled "An ordinance to grant certain lands belonging to the State of Alabama to certain railroad companies."

Mr. Yelverton, from same committee, made a minority report, with accompanying ordinance as follows:

"The undersigned regrets the necessity which induces dissent from the report of the majority of the Committee on Public Lands—especially in relation to the appropriations thereof, and would respectfully submit objections to the policy indicated in the report of the majority, and in opposition to the donations in the ordinance accompanying the same.

"1. The unappropriated public lands within the State of Alabama, having been declared and ordained to be the property of the State, it is proper to make such a disposition thereof as may be most conducive to the general and permanent interest of the State, or the people thereof. And while it is admitted that railroads are of great importance in the development of the resources of the State, yet experience demonstrates that railroads are profitable to the stockholders or else capitalists would not invest. Assuming then that railroad stock is good paying stock, it may be urged in fairness that the stock in all such roads *as will pay* will be taken and the roads built by private subscriptions and enterprize.

"2. If the State should unsettle its well-defined and oft repeated policy *against State aid to rail roads*, and should inaugurate a great internal improvement, and State aid policy, a well-guarded system should be most carefully devised and permanently fixed in advance of particular appropriations, so as to prevent partial and promote general, equal and equitable State aid to every section and interest in the State. But it is here assumed that public opinion is not prepared for such *a radical change;* it would be a rapid march without authority from one extreme to another, and fraught with endless strife.

"3. The condition of public affairs at this time is such as to warn us against any measures of even apparent extravagance, or any such as in their tendency might alienate any portion of our people from another, or from their hitherto unexampled loyalty to the State. It is a fact not to be denied, not to be forgotten, not to be condemned, that on account of the secession of the State and the legitimate train of acts and circumstances connected with it, that heavy expenses have fallen upon the State, and others must follow. And while in the truest spirit and sense of honor and patriotism, our people will meet and promptly honor all such needful and rightful drafts upon them, it is moreover true that they will look to their Representatives in charge of affairs, to guard with becoming economy the resources of the State, *and to see that no unnecessary drafts be made* which would produce heavy taxes on them. Treating, then, the lands as resources acquired by secession, in view of the fact that heavy expenses have arisen from the same cause, common fair dealing seems to demand that the resources thus acquired should be treated as a distinct fund to meet the debt thus created.

"Resolutions looking to an ordinance referred to this committee, introduced by an honorable delegate from Chambers, setting apart the proceeds of the sales of the public lands to the payment of such debts as the State has and may incur by reason of secession, is regarded by the minority as proper, and an ordinance to that effect is herewith presented, and the passage thereof most earnestly and respectfully recommended.

"The minority ask leave also to report against all other ordinances and resolutions referred to the committee aforesaid, by which appropriations of any sort are asked to be made, either by the donation of any portion of the lands or the proceeds thereof."

Mr. Jemison moved to suspend the rules, to enable him to make a report from the Committee on Credentials. Carried.

Mr. Jemison, from said committee, then reported as follows:

"The Committee on Credentials, to whom was referred the subject of contest in the election of delegates from the county of Shelby, have had the same under consideration, and instruct me to report

"1. The sitting members, Geo. D. Shortridge and John McClanahan, were duly and properly returned. They were legally entitled to their certificate of election. This was clearly shown by the testimony adduced before the committee.

"2. The evidence, however, shows that the vote from Precinct No. 11 was not returned in the time prescribed by law, and that an election was held at said precinct, and had the vote at that precinct been counted, the majority of the popular vote would have been in favor of the contestants, Jno. R. Kenan and John F. Welch.

"3. It further appears that there were two other precincts in the county from which there were no returns, but it does not appear whether or not there was an election held at either of these precincts, and if held, who would have received a majority of legal votes cast in the county.

"Hence your committee consider the returned members, Messrs. Shortridge and McClanahan, as entitled to their seats.

"Your committee further instruct me to report, that from no part of the testimony or proceedings before them, does it appear that the contestants, in making their contest, had any other than a laudable motive of protecting the purity of the ballot-box, and insuring a fair expression of the popular will as thereby expressed. They therefore recommend that they be allowed mileage and per diem; to which end they report the accompanying ordinance, and recommend its passage."

The accompanying ordinance was entitled, "An ordinance to allow mileage to J. R. Kenan and J. F. Welch."

The question was upon concurring in the report and adopting the ordinance, and the yeas and nays were called, resulting—yeas 57, nays 8.

Yeas—Messrs. President, Bailey, Baker of Russell, Barclay, Beard, Beck, Bolling, Bulger, Clarke of Lawrence, Coffey, Coleman, Coman, Crawford, Crook, Crumpler, Dargan, Davis of Madison, Dowdell, Earnest, Edwards, Foster, Gibbons, Gilchrist, Green, Herndon, Hood, Jemison, Jewett, Johnson, Leonard, Love, McClellan, McPherson, McKinnie, Mitchell, Morgan, Owens, Posey, Potter, Ralls, Rives, Russell, Ryan, Sheets, Sheffield, Slaughter, Starke, Steele, Stone, Taylor, Timberlake, Watkins, Webb, Whatley, Whitlock, Williamson, Wood—57.

Nays—Messrs. Catterlin, Clark of Marengo, Creech, Davis of Pickens, Howard, Jones of Lauderdale, Sanford, Yelverton—8.

Concurred in and adopted.

Mr. McClanahan moved to postpone the majority and minority reports of the Committee on Public Lands, in order to take up a report heretofore submitted from the same committee on the same subject. Carried.

Mr. McClanahan then moved to take up said report, and it was carried.

Mr. Jewett moved to go into committee of the whole, to consider the report taken from the table by the convention.

No action taken.

Mr. Clarke of Marengo offered as a substitute, "An ordinance to cede the public lands within the limits of the State of Alabama to the Confederate States of America."

Mr. Dowdell offered the following amendment to the substitute:

"Provided, That the Confederate States of America shall agree to apply the net proceeds of the sales of the same, or so much thereof as may be necessary, to pay the debts of Alabama incurred on account of her secession from the United States of America."

Mr. Gibbons moved to lay the substitute and amendment on the table.

The yeas and nays were called. Yeas 58—nays 13.

Yeas—Messrs. Baker of Russell, Barclay, Beard, Bolling, Buford, Bulger, Clarke of Lawrence, Coman, Crook, Crumpler, Dargan, Davis of Covington, Davis of Madison, Earnest, Edwards, Ford, Foster, Gay, Gibbons, Gilchrist, Green, Herndon, Hood, Jemison, Jewett, Jones of Lauderdale, Johnson, Leonard, Love, McClanahan, Mitchell, McClellan, McPherson, Morgan, Owens, Posey, Potter, Ralls, Rives, Russell, Ryan, Sanford, Sheets, Sheffield, Shortridge, Slaughter, Smith of Tuscaloosa, Taylor, Timberlake, Watkins, Watts, Webb, Whatley, Whitlock, Williamson, Winston, Wood, Yelverton—58.

Nays—Messrs. President, Bailey, Beck, Catterlin, Clarke of Marengo, Crawford, Creech, Davis of Pickens, Dowdell, Howard, McKinnie, Starke, Stone—13.

Laid on the table.

Mr. Watts offered, as a substitute, an ordinance entitled "An ordinance to dispose of the public lands."—Laid on the table.

Mr. Dargan offered, as a substitute, an ordinance entitled "An ordinance disposing of the public lands."

Mr. Baker, of Russell, moved to amend, by adding: Provided, That in relation to these lands, the Governor shall have all powers residing in the President of the United States at the date of the secession of Alabama.

Pending the consideration of the question,

Mr. Morgan moved to suspend the rules to adjourn at 7 p. m. Carried.

Mr. Morgan gave notice that he would to-morrow introduce the following resolution:

Resolved, That the rule requiring this Convention to adjourn to-morrow, at 12 o'clock, be rescinded.

Mr. Morgan moved that the Convention go into Committee of the Whole, upon the subject matters under consideration by the Convention. Carried; and the Convention went into Committee of the Whole.

After some considerable time spent therein, the committee rose.

Mr. Watts moved (Mr. Gibbons in the Chair) to adjourn till 9 o'clock, A. M., to-merrow.

The Chair decided the motion out of order.

Mr. Watts appealed, and the decision of the Chair was sustained.

The committee reported progress, and asked leave to sit again.

A call of the roll was demanded, and the following members answered to their names:

Messrs. Bailey, Buford, Baker of Russell, Bolling, Bulger, Catterlin, Clarke of Marengo, Clark of Lawrence, Coman, Crawford, Creech, Crook, Crumpler, Dowdell, Foster, Gay, Gibbons, Gilchrist, Green, Hood, Howard, Jewett, Leonard, Love, McClanahan, Mitchell, McPherson, McKinnie, Morgan, Posey, Potter, Ralls, Rives, Russell, Ryan, Sanford, Shortridge, Slaughter, Smith of Henry, Smith of Tuscaloosa, Taylor, Timberlake, Watkins, Watts, Webb, Whatley, Whitlock, Williamson, Wood, Yelverton—50.

No quorum being present, the Convention adjourned until to-morrow at 9 o'clock A. M.

MONTGOMERY, ALA., March 20th, 1861.

The Convention met pursuant to adjournment.

Prayer by Rev. Mr. Ralls.

Mr. Shortridge, from the Committee on Federal Relations, to whom was referred a certain resolution, reported as follows:

"The Committee on Federal Relations, to whom was referred a resolution enquiring into the expediency of tendering to the Congress a district ten miles square for a permanent Seat of Government of the Confederate States of America, and also an ordinance in relation to the same subject, having had the same under consideration, have instructed me to submit the following ordinance, as a substitute for the original, and to recommend its passage."

Mr. Watts moved to suspend the regular order of business, to enable him to introduce a resolution. Agreed to; and, Mr. Watts offered the following:

Resolved, That the rule requiring this Convention to adjourn to-day at 12 o'clock, be rescinded.

Mr. Crook offered the following as a substitute:

Resolved, That this Convention will remain in session until 12 to-morrow, and no longer. Lost.

Mr. Bulger offered the following as a substitute:

Resolved, That the order requiring this Convention to adjourn at 12 o'clock to-day, be and the same is hereby suspended until 4½ o'clock of this day.

The previous qeestion was called for, sustained, and Mr. Watts' resolution adopted.

Upon motion of Mr. Morgan, the Convention resolved itself into a Committee of the Whole, on the Constitution.

After some time spent in Committee of the Whole, the committee rose, and reported, through their chairman, that they had completed the amendments to the Constitution, and now recommend its adoption as a whole, together with an ordinance at the same time reported, entitled "an ordinance te define and explain the effect of the ordinances adopted by this Convention."

The Constitution, as reported, was then referred to the committee to revise the Constitution.

Mr. Davis, of Madison, obtained leave and offered an ordinance entitled "An ordinance to permanently locate the State Capital."

The question was on the adoption of the ordinance, and the yeas and nays were called. Yeas 38—nays 30.

Yeas — Messrs. President, Baily, Baker Bolling, Catterlin, Crawford, Crook, Crumpler, Curtis, Davis of Covington, Davis of Madison, Dowdell, Earnest, Foster, Gibbons, Green, Henderson of Macon, Hood, Johnson, Leonard, Love, Mitchell, McClellan, McPherson, Morgan, Owens, Ralls, Rives, Shortridge, Slaughter, Taylor, Timberlake, Watts, Watkins, Williamson, Wood, Yelverton—38.

Nays—Messrs. Buford, Barclay, Beck, Brasher, Clarke of Marengo, Clake cf Lawrence, Coffey, Coman, Creech, Dargan, Davis of Pickens, Edwards, Forrester, Gay, Herndon, Jewett, Jones of Lauderdale, Lewis, McClanahan, Posey, Potter, Ryan, Sanford, Sheets, Sheffield, Smith of Tuscaloosa, Stone, Watkins, Webb, Whitlock—30.

Ordinance adopted.

A message was received from the Governor, in answer to certain resolutions of enquiry, adopted by the Convention on yesterday, and transmitted to him, which was read, as follows:

EXECUTIVE DEPARTMENT,
Montgomery, Ala., March 20, 1861.

Hon. WM. M. BROOKS, President State Convention.

SIR: In answer to the first resolution of enquiry adopted on yesterday, I state that no patents have been received by the State of Alabama from the United States for lands under the act of Congress, approved 28th September, 1850.

In answer to the 2d resolution I beg leave to state that about an half million of acres of swamp and overflowed lands have been selected by Commissioners appointed by me under an act of the Legislature approved 24th February, 1860. A list of the lands so selected with the proper certificates of proof have been made out by the Commissioners, and were presented to and approved by me early in December last, and immediately forwarded to the Land Office at Washington for the purpose of having patents issued for the same. I have heard nothing further from them, and under existing circumstances I presume no patents will be issued for said lands.

The question as to whether the contract made with the Commiasioners can be rescinded or not and the Commissioners discharged is strictly legal, and made in conformity with the act of the Legislature, and of course binding on both parties. As a general rule of law, each party has a right to insist upon his contract, and neither the Legislature nor the courts could impair such contract; but the Convention is the sovereign power of the State, and I presume may do whatever in its judgment may seem just and proper.

I would suggest, however, that if said Commissioners are discharged from the further prosecution of their duties under their contract, that provision should be made to pay them for services rendered. They have performed much labor which would have been valuable to the State, had no change been made in our relations to the Federal Government.

Respectfully, A. B. MOORE.

Upon motion, the message was ordered to be laid on the table.

Mr. Morgan moved to reconsider the vote just taken on the ordinance for the permanent location of the State Capitol.

Mr. Davis of Madison, moved to lay Mr. Morgan's motion on the table; and the yeas and nays were called; yeas 30—nays 39.

Yeas—Messrs. Baker of Russell, Bolling, Bulger Clemens, Crawford, Crook, Crumpler, Davis of Covington, Davis of Madison, Earnest, Foster, Gibbons, Gilchrist, Green, Henderson of Macon, Leonard, Love, Mitchell, McPherson, McKinnie, Owens, Ralls, Rives, Shortridge, Slaughter, Taylor, Watts, Whatley, Williamson, Yelverton.

NAYS—Messrs. Allen, President, Barclay, Brasher, Buford, Beck, Catterlin, Clarke of Marengo, Clarke of Lawrence, Coffey, Coman, Creech, Dargan, Davis of Pickens, Dowdell, Edwards, Forrester, Gay, Herndon, Hood, Jemison, Jewett, Jones of Lauderdale, Johnson, McClanahan, McClellan, Morgan, Posey, Potter, Ryan, Sanford, Sheets, Sheffield, Smith of Tuscaloosa, Stone, Timberlake, Watkins, Webb, Whitlock, Wood.

Mr. Bulger moved to lay the whole subject on the table, and the yeas and nays were called. Yeas, 38—nays 24.

Yeas—Messrs. President, Baily, Buford, Barclay, Beard, Beck, Brasher, Bulger, Clarke of Marengo, Clarke of Lawrence, Coffey, Coman, Dargan, Davis of Pickens, Dowdell, Edwards, Forrester, Gay, Herndon, Hood, Jemison, Jewett, Jones of Lauderdale, Johnson, McClanahan, McClellan, Morgan, Posey, Potter, Ryan, Sanford, Sheets, Sheffield, Stone, Watkins, Watts, Webb, Whitlock.

Nays — Messrs. Baker of Russell, Bolling, Catterlin, Clemens, Crawford, Creech, Crook, Crumpler, Davis of Covington, Davis of Madison, Earnest, Foster, Gibbons, Gilchrist, Green, Henderson of Macon, Howard, Leonard, Love, Mitchell, McPherson, McKinnie, Owens, Ralls, Rives, Shortridge, Slaughter, Smith of Tuscaloosa, Taylor, Timberlake, Whatley, Williamson, Wood, Yelverton.

Whole subject laid on the table.

Consideration of the Constitution resumed.

Mr. Dargan offered an amendment which was adopted and incorporated in the committee's report of a Constitution as a whole.

The question was now upon the adoption of the Constitution as amended, as a whole.

Mr. Johnson offered the following amendment:

Art. 6. Establishment of Banks.—Strike out rule two and insert, "no bank shall be established, or bank charter renewed, but in conformity with the following rules."

A motion was made to lay the amendment on the table, and the yeas and nays were called; yeas 58—nays 5.

Yeas — Messrs. President, Buford, Baker of Russell, Barclay, Beard, Beck, Bolling, Brasher, Catterlin, Clarke of Marengo, Clarke of Lawrence, Coffey, Coman, Crawford, Creech, Crook, Dargan, Davis of Covington, Davis of Madison, Davis of Pickens, Dowdell, Edwards, Forrester, Gay, Gibbons, Gilchrist, Green, Herndon, Hood, Jemison, Jewett, Jones of Lauderdale, Leonard, Love, McClanahan, Mitchell, McClellan, McPherson, McKinnie, Morgan, Posey, Potter, Ralls, Rives, Ryan, Sanford, Sheets, Sheffield, Shortridge, Smith of Tuscaloosa, Stone, Taylor, Watkins, Watts, Webb, Whatley, Whitlock. Williamson.

Nays — Messrs. Bulger, Johnson, Owens, Russell, Slaughter.

Laid on the table.

Mr. Jemison offered the following amendment, to come in after prescribing the time the Legislature shall sit, as follows:

"Unless in the opinion of the Governor the public good shall require it to remain longer in session, in which case, he shall have power, by his proclamation, to prolong the session."

Mr. Whatley moved to lay the amendment on the table, and it was laid on the table.

The question now recurred upon concurring in the report of the Committee on the Revision of the Constitution, and adopting the Constitution so reported, as a whole, and the report was concurred in, and the Constitution so reported was adopted as a whole, unanimously, as the Constitution of the State of Alabama.

The question was now upon the adoption of the ordinance included in the committee's report, entitled, "an ordinance to define and explain the effect of the ordinances adopted by this Convention," and it was adopted.

Mr. Morgan offered an ordinance entitled "an ordinance to provide for the enrollment of the Constitution of Alabama.

The question was upon the adoption of the ordinance, and it was adopted.

Mr. Morgan offered an ordinance entitled "an ordinance to make an appropriation for a certain purpose therein named;" and the question being upon its adoption, it was adopted.

Mr. Webb offered an ordinance entitled "an ordinance to provide for the printing the Constitution of the State of Alabama," and the question being upon its adoption, it was adopted.

Mr. Dargan offered an ordinance entitled "An ordinance relative to free banking corporations, and to extend the provisions of an ordinance of this convention concerning the same to the Mobile Savings Bank."

Mr. Johnson moved to lay the whole subject on the table. Carried.

Mr. Jemison offered an ordinance, entitled "An ordinance to provide for certain expenses in preparing the acts and journals of the late (called) session for the press, and the distribution of the same, and for other purposes;" and the question being upon its adoption, it was adopted.

Upon motion, the convention went into committee of the whole upon the land ordinance.

The committee rose presently and reported, through their chairman, certain amendments to the ordinance; and the question being upon their adoption, they were adopted.

The question was then upon the adoption of the ordinance, and it was adopted.

Mr. Bolling offered an ordinance entitled "An ordinance in relation to cancelled land warrants;" and the question being upon its adoption, it was adopted.

Mr. Brooks (Mr. Baker of Russell in the chair) offered the following resolution:

"Resolved, That the enrolled ordinances and resolutions of this convention be deposited in the office of the Secretary of State for safe keeping, and that the same be bound and indexed under the directions of said Secretary."

Mr. Johnson, from a special committee, offered an ordinance, entitled "An ordinance to divide the county of Henry."

Mr. Webb moved to lay it on the table. Carried.

Mr. Jewett offered an ordinance entitled "An ordinance to authorize and direct the Governor to rescind a contract therein referred to;" and the question being upon its adoption, it was adopted.

ELECTION OF LAND COMMISSIONER.

Upon motion, the convention proceeded to the election of Land Commissioner.

Mr. Shortridge nominated J. T. Bradford.

Mr. Dargan nominated O. S. Jewett.

The convention proceeded to vote. Mr. Bradford received 41 votes, and Mr. Jewett 19.

Mr. Bradford having received a majority of the whole number of votes cast, was declared to be duly elected to the office of Land Commissioner.

Mr. Davis of Madison offered a resolution expressive of the sense of the convention of their high estimation of their presiding officer, the Hon. W. M. Brooks, and returning the thanks of the convention for the dignified and impartial manner in which he has presided over their deliberations. Adopted.

Mr. Earnest offered an ordinance, entitled "An ordinance to submit the Constitution of Alabama, as this day adopted, to a vote of the people at the August election."

Mr. Webb in the chair, it was ruled out of order.

Mr. Earnest appealed from the decision of the chair, and the chair was sustained.

Mr. Bolling offered an ordinance, entitled "An ordinance in relation to forfeited lands;" and the question being upon its adoption, it was adopted.

Mr. Buford asked to have the following protest entered upon the journals, which was ordered to be done:

"The undersigned protests against all acts and measures of this convention not within or incidental to the object and purpose for which it was called, as set forth in the resolutions under which the Governor issued the call.

"We are not the people, but only their agents; and we are their agents only in respect of the matters in reference to which we were sent by them.

"It follows that whatever else we have done is logically void, whatever, from political considerations, the judiciary may hereafter decide to the contrary. And, beside, our chief measure, that of secession, is of such vast consequence to the people, we should not have prejudiced it by any departure from the strict letter of our instructions.

"The undersigned begs this may be recorded as his protest. JEF'N BUFORD."

Mr. Dargan offered the following resolution:

"Resolved, That no business, having the force and effect of law, will be entertained by the convention from this hour until its final adjournment *sine die*."

Adopted.

Mr. Jones of Lauderdale offered the following resolution:

"Resolved, That the Secretary of State be and he is hereby instructed to furnish by mail to each member of this convention a copy of the journals and ordinances of this convention, including a copy of the Constitution of Alabama as amended, and also a copy of the debates, by Wm. R. Smith, whenever the same shall be printed and ready for circulation."

Adopted.

Mr. Jewett moved to take from the table a report and two accompanying ordinances, made through him from the Committee on Public Lands, and laid on the table yesterday.

Mr. Baker moved to lay the motion on the table. Carried.

Mr. Yelverton offered the following:

"Resolved, That Eugene Bledsoe and Grattan Britton be each allowed twenty dollars for extra services for this convention, and that the President certify for them accordingly."

Adopted.

Mr. Bulger offered the following:

"Resolved, That A. G. Horn, the acting Secretary, is entitled to the high regard of the members of this convention for the dignified and faithful manner in which he has discharged the arduous duties of his office."

Adopted.

Mr. Morgan offered the following:

"Resolved, That the Commissioner of the Public Lands of this State shall be paid his salary at the times and under the regulations now applying to the payment of the salaries of the Judges of the Supreme Court; but this resolution shall not affect the amount of the salary of said Commissioner."

Adopted.

Mr. Bolling moved to reconsider the vote taken by the convention by which it refused to take from the table "an ordinance in relation to the Greenville Land Office;" and it was reconsidered, taken from the table, and adopted.

Mr. Baker offered the following:

"Resolved, That when this convention adjourns on this day, no further business shall thereafter be transacted by the convention, except such as may be necessary to perfect or complete any of its acts which may be found to be incomplete."

Adopted.

Mr. Webb offered the following:

"Resolved, That the thanks of this convention are hereby tendered to Hon. A. B. Clitherall for his faithful and valuable services rendered as Assistant Secretary of this convention."

Adopted.

Mr. Dargan offered the following:

Resolved, That this convention adjourn to-morrow at 2 o'clock, *sine die*. Adopted.

Mr. Earnest, from the Committee on Enrollment, made ~~the~~ following report:

"The Committee on Enrollment report as correctly enrolled, the 'Constitution of the State of Alabama,' adopted on this day.

Report concurred in.

Mr. Morgan, from the Committee on the Revision of the Constitution, made the following report:

The Committee on the Revision of the Constitution, to whom it was referred for the purpose of correcting the same so as to conform to the action of this Convention, had in reference thereto, beg leave to report that they have carefully examined said Constitution, and they herewith report the same back to the convention as correct. And they further report the accompanying clause of attestation, and recommend its adoption.

Report concurred in and attestation clause adopted.

The Convention then adjourned until 10 o'clock tomorrow.

MONTGOMERY, ALA., March 21, 1861.

Convention met pursuant to adjournment.

Mr. Morgan offered the following resolution:

Resolved that this convention tenders its thanks to Frank L. Smith, the assistant Secretary of this convention, for his faithful services rendered during both its sessions, and in the vacation.

Adopted.

Mr. Earnest, from the Committee on Enrollment, reported sundry ordinances as correctly enrolled, including all not heretofore reported on as correctly enrolled, which have been adopted up to the adjournment of the Convention.

Mr. Morgan offered the following ordinance, entitled "an ordinance to amend and explain the third section of the ordinance in relation to the public lands in Alabama."

Pending the consideration of the subject, the clock struck two, and the President announced the convention adjourned, *sine die.*

WM. M. BROOKS,
President of Convention.

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